

Guidance notes for a water resources impoundment licence application – part D



Introduction

Please read through these guidance notes and the application form carefully before you fill the form in.

These guidance notes give you information to help you fill in part D of your application for a water resources licence. If you get your application right first time, we can process it more quickly. Please follow the guidance below to help avoid delays in your application, or your application being returned.

We strongly recommend that you send us your filled-in part A and part D before you make your formal application. This will give us the chance to discuss your proposals and help identify what other permissions you may need.

If you are not sure about anything in this form, phone us on 03708 506 506 or send an email to enquiries@environment-agency.gov.uk.

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D1 Applicant's name

Give the name of the company, person, organisation or public body who will be the licence holder. This must be the same as the name you gave in part A of the form.

D2 Type of application

D2.1 If you are applying for a licence for building a new impounding structure, tick 'Yes' and go to D4.

D2.2 If you are applying for a licence to change or remove existing impounding works, tick 'Yes' and go to D3.

D2.3 If you are applying for a licence for existing impounding works, tick 'Yes' and go to D4.

D3 Licence number of existing licence

Only fill in this section if you are applying to change or remove existing licensed impounding works. In this case, give us your existing licence number.

D4 Locations of impounding works

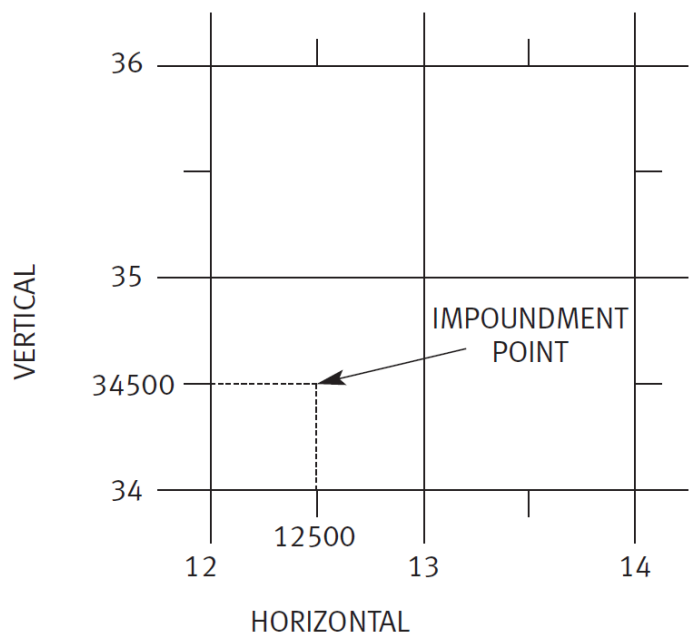
D4.1 Fill in the table to give details of where you will impound water.

- If the impounding location is a single point, it will have only one national grid reference, so you only need to fill in the fourth column for that location.
- If the impounding location is a reach, you need to fill in the fourth column and the fifth column with the national grid references you will be impounding water between.
- If the location is an area, you need to fill in the fourth, fifth, sixth and seventh columns with the national grid references for the corners of the area. The national grid reference number you give in the fourth column should be that for the top left-hand corner of the area, the national grid reference number you give in the fifth column should be that for the second corner moving clockwise around the area, and so on.

You must provide 12-character national grid references.

To find out the national grid references you can search on the UK grid reference finder website at www.gridreferencefinder.com or you can find out your grid reference from a 1:10,000 scale map as follows.

- Read the two letters identifying the 100,000-metre square. This will be shown on the front cover of the map. In this example we will assume the letters are ST.
- Mark the impounding location on the map.
- Find the first vertical line to the left of your proposed impoundment and read the number labelling it. In this example it is 12. If you imagine the line between 12 and 13 is split into 10 sections, estimate how many sections across the box your impounding location is. In this example it is five, and the first part of the 12-character national grid reference is ST 12500.



- Find the first horizontal line below your proposed impoundment and read the number labelling it. In this example it is 34. If you imagine the line between 34 and 35 is split into 10 sections, estimate how many sections up the box your impoundment location is. In this example it is five, and the final numbers of the 12-character national grid reference is 34500.
- The full national grid reference is ST 12500 34500.

D5 Impoundment method and purpose

In the first column of the table, give the name of the impoundment location. This must be the same as the name you gave in D4.

In the second column of the table, tell us the impoundment method you will use at the impoundment location named in the first column. The answer you give must be one of the options below. Read all the options below before you choose the most appropriate one.

Adjustable sluice – removable boards	Earthfill – bunded
Fixed sluice	Earthfill with clay core
Adjustable weir	Earthfill with concrete core
Fixed weir	Earth with waterproof face
Concrete – arch	Rockfill with clay core
Concrete – buttress	Rockfill with concrete core
Concrete – gravity	Rockfill with upstream seal
Concrete – multi-arch	Other (If you choose this option please give further details)
Masonry dam	

In the third column, tell us the purpose of the impoundment (see examples below). If you are not sure about which purpose to choose, get advice from us.

- Create conservation area
- Create pond/lake
- Fish passage
- Flood alleviation
- Flow measurement
- Hydropower
- Raise level
- Removal
- Other (If you choose this option please give further details)

D6 Safe passage for eels

European and UK laws introduced in 2007 aim to protect eels and increase their numbers. Any application for an impoundment licence will be assessed to see whether the Eels (England & Wales) Regulations 2009, which specifically protects the passage of eels through rivers, applies. If appropriate, the conditions of your impoundment licence may require you to build an eel pass.

If you have not yet discussed eel passes with us, contact us now.

D7 Description of impounding works

D7.1 Describe the impounding works in as much detail as possible. Include details of what you propose to build, any existing works and the changes you will make to them, and how the impounding works will affect the flow of the inland water.

D7.2 If any area behind the impounding works will become submerged, tick ‘Yes’ and mark the area on the map you send with this application. If no area will become submerged as a result of the impounding works, tick ‘No’ and go to D7.4.

D7.3 If the impounding works will be lined, tick ‘Yes’ and tell us what type of liner you will be using in the submerged area.

D7.4 If you will be regulating the flow of an inland water, give us the name of that water and tell us how you have marked it on the map (for example, ‘Marked in blue’).

D7.5 If you are going to abstract water from the impounding works tell us:

- what you will use the water for;
- the amount of water you will abstract each day and each year; and
- how the impounding works will provide the amount you need.

D8 Flow controls, levels and capacities

Most impounding schemes need a way of controlling and monitoring flows downstream. We need to agree appropriate arrangements with you.

D8.1 If you do intend to control the discharge of water downstream, tick ‘Yes’ and provide details in D8.2 and D8.3. If you will not control the discharge of water downstream, tick ‘No’ and go to D8.4. We will get in touch with you if we think that flow controls are necessary.

D8.2 Tell us about where you are going to discharge water, including the national grid reference, and how you have marked it on the map (for example, ‘Marked as point A’).

D8.3 Tell us about where and how you will control and measure the discharged water, including the national grid reference and how you have marked it on the map (for example, ‘Marked as point B’). Also, tell us what the proposed flow will be at the discharge point and how you intend to measure it.

D8.4 Tell us the proposed overflow level as metres above ordnance datum. The level you give here should be the number of metres above ordnance datum (a known position which heights are measured from). This can be obtained from professional survey grade Global Positioning Satellite (GPS) equipment. It is recommended that this is carried out by survey professionals.

D8.5 Tell us how much water the impoundment works will hold, in cubic metres, when full to spillway level.

D8.6 A raised reservoir is one where water is stored at a level which is above the natural level of the lowest point on the surrounding land. If you tick ‘No’, go to D9.

D8.7 If the reservoir is raised and impounds more than 25,000 cubic metres of water, you need to meet the requirements of the Reservoirs Act 1975. For more information,

contact us at: Getting an environmental permit can take up to four months, so it is essential that you contact us as soon as possible.

National Reservoir Safety Team
 Manley House
 Kestrel Way
 Exeter
 EX2 7LQ.

Email: reservoirs@environment-agency.gov.uk

D9 Diversion works

If you intend to divert the flow of the inland water while you are building or changing the impounding works, explain how you will do this. With the form you must send us plans and drawings of the diversion works.

D10 Other permissions

D10.1 You may need to apply for the following permissions.

- If your impounding works will affect a main river – permission under section 109 of the Water Resources Act 1991.
- If your impounding works will have sluices, which will be opened from time to time to release accumulated deposits – permission under section 90 of the Water Resources Act 1991.
- If your impounding works will affect the flow of any watercourse (other than a main river) – permission under section 23 of the Land Drainage Act 1991.

If you need to know how these Acts affect your application, please get in touch with us. Also remember to contact your local authority to find out whether you need planning permission.

If you do not need any of these permissions, go to D10.3.

D10.2 If you have applied for the permissions you need, give the date you applied and the application reference number.

D10.3 If any other Acts of Parliament or orders apply to the impounding works, please provide details in this section.

D11 Supporting documents

Please read through the checklist and tick the appropriate boxes to show us which supporting documents you are sending.

We need to see plans and sections drawn by a competent engineer or surveyor.

D12 Making a pre-application

We can use the information you have provided in part A and this part D to see if there is any reason why we may not be able to grant you the licence you want. We strongly recommend that you send us part A and part D as a ‘pre-application’ before you pay the application fee. We recommend that you send a photocopy or scanned documents as a pre-application, and keep the original to send when you want to proceed with a full application.

If, after we discuss your pre-application with you, you decide to proceed with your application without making any changes to it, you will only need to sign part D and pay the application fee. If you need to make changes you may need to change part A or

part D (or both) and supporting documents before sending them to us again. We will tell you whether you need to make changes to your application.

If you want to send us parts A and D as a pre-application, tick ‘Yes’ and send the forms and supporting documents to us without the application fee.

If you want to make your full application now, tick ‘No’ and fill in D13 and D15, and send the forms (parts A and D) to us with the supporting documents and the application fee.

D13 Application fee

The current application fee is set out in the guidance notes to part A. It is also given in the details of our Abstraction Charges Scheme which are on our website at www.gov.uk. Or you can find out the fee by phoning us on 03708 506 506. We cannot process your application if you do not enclose the correct fee.

- If you are sending a cheque for your application fee, make it payable to ‘Environment Agency’.
- If you want to pay by credit card or debit card, tick ‘Yes’ and we will contact you.

D14 Declaration and signature

Check the form thoroughly and complete the checklist before signing this form.

Any licence we issue is a legal document, and you could be prosecuted if any of the information you have provided is incorrect.

The application must be signed by the appropriately authorised person. The table below gives details of who can sign an application.

Type of licence holder	Signature needed
Registered company	Company director or company secretary
Limited liability partnership	A partner, Company Director or company secretary
Individual	The individual
Public body (for example, a local authority or NHS trust)	A person authorised to sign documents on behalf of the organisation
Group of individuals	All individuals
Partnerships	One or more of the partners
Trust	All trustees or the chairman, treasurer or secretary

D15 The Data Protection Act 1998

This section provides details of how we will use the information you provide.

D16 Commercial confidentiality and national security

Commercial confidentiality

Only tick this box if you are certain that you want us to treat any information from your application as commercially confidential and leave it off the public register of abstraction and impoundment licence applications or a public notice relating to

a licence application. You can find guidance on confidentiality on form WR25 – Public Registers and Information.

With this application, enclose a copy of your supporting statement explaining which information you want us to treat as commercially confidential, and why. We have 14 days to make a decision on commercial confidentiality. If we do not do so in this period, we will be considered to have decided that the information is commercially confidential.

Make sure that we can easily identify the information you consider to be commercially confidential. It will help us if the information you want us to leave off the public register and notice is provided to us in a way which will allow it to be easily removed (for example, on separate pages marked 'claimed commercially confidential').

National security

You cannot ask us to leave information from your application off the public register or a public notice because including it would be a national security risk. Only the Secretary of State can make this decision. If you want any information to be left off the public register for national security reasons, write to the Secretary of State at:

Nobel House
17 Smith Square
London
SW1P 3JR.

Only tick this box if you are certain that you want us to treat any information from your application as a national security risk.

