



Renewing time-limited abstraction licences

Operational instruction 031_08

Issued 09/09/2010

What's this document about?

This Operational Instruction explains how to renew a time-limited abstraction licence.

Renewal:

- involves granting a new licence, with a new time-limit, when an existing licence expires;
- allows us to review licences and to take account of any circumstances that have changed since they were first granted.



Document details

Who does this apply to?

Applies to all staff involved in renewing time-limited licences including:

- Area Environment Planning teams;
- Permitting Support teams;
- National Permitting Centre teams.



Related documents

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[Water resources helpdesk](#)

Introduction

Environmental outcomes

Giving licences time-limits is an effective way of managing water resources. It allows us to deal with environmental uncertainty (such as climate change), the changing needs for water and efficient use.

The use of time-limited licences contributes to our outcome of safe, secure water supplies that are used efficiently to meet the needs of the public, business and the environment.

The Water Act 2003 made it law to include a time-limit on all new, full and transfer abstraction licences.

Risk-based approach

The renewal process provides the mechanism to review licences in the light of any changed circumstances since they were granted. For the majority of TLL renewals it is a reasonable expectation that licences granted to a common end date are sustainable. We need to deal with renewals with a regulatory 'light touch' which means licences will be renewed unless there is hard evidence to suggest otherwise. This will help reinforce the concept of 'presumption of renewal'.

Important definitions

In this guidance:

- The **existing licence** means the time-limited licence which is about to expire.
- The **terms of a licence** are those provisions of the licence for which the applicant or licence holder applies. For example: source; points; season; purpose; quantities; means of abstraction.

These are distinct from the conditions we impose on a licence as part of the determination process under section 38(2)(a) Water Resources Act 1991. For example: measurement; records or hands off flow conditions.

- Licence holders can apply to renew a time-limited licence or the time-limited part of a permanent licence on the **same terms** or on **different terms**. Where part of a licence is time-limited the licence holder can apply to vary any part of the licence at the same time as they apply to renew the time-limited part of the licence.
 - The terms '**renew**' or '**renewal**' in this OI means applying for a 'new' licence to replace a time-limited licence or to renew the time-limited part of a permanent licence: it is not the continuation of the previous licence or part thereof.
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Three tests for renewal

In order for a time-limited licence to be renewed, the abstraction must satisfy the following three tests :

- Test one: Continued environmental sustainability
- Test two: Continued justification of need
- Test three: Demonstration of efficient use of water

The three tests for renewal are discussed in more detail in [Part B](#).

Part A – the renewals process

How to give notice

To process applications to renew time-limited licences you need to work through the ten stages shown in the table below.

Stage	Description
1	Give notice of non or more restrictive renewal
2	Send 12 month reminder letters
3	Pre-application discussion with licence holders
4	Receive applications and establish the relevant date
5	Prioritise applications and decide whether suitable for block determination
6	Set relevant date, advertise and consult externally
7	Consult internally
8	Consider protected rights and lawful users of water
9	Determine the applications
10	Draft and issue the licences

Stage1 – give notice of non or more restrictive renewal

How to give notice

Area Environment Planning (AEP) teams need to carry out the steps below six years before the relevant CAMS common end date (CED).

Step	Action
1	<p>Identify those licences due to expire, that may not meet the environmental sustainability test as part of the three tests for renewal.</p> <p>These licences could either:</p> <ul style="list-style-type: none"> ▪ be re-issued with different renewal terms; or, ▪ not be renewed at all.
2	<p>For the licences identified in step 1, write to the licence holder at least six years' before the expiry date, using either:</p> <ul style="list-style-type: none"> ▪ WR249 [English] / [Welsh] template letter for non renewal; or, ▪ WR250 [English] / [Welsh] template letter for notice of more restrictive renewal. <p>Provide them with as much information as possible at this stage.</p>

What if...	Then...
The abstraction is located within a site of European importance, designated under the Habitats or Birds Directives and through the Review of Consents process is found to be unsustainable	It is not necessary to give six years' notice but you should try and give as much notice as possible.
We don't give six years' notice of non or more restrictive renewal, because there are overriding legal requirements which mean that we are unable to give that period of notice.	If a licence holder is not happy with our decision they can appeal to the Secretary of State / Welsh Ministers.
There are circumstances where we are able to, or should give longer than six years notice of non-renewal. Example: The licence holder needs to build a new resource, such as a reservoir, which requires large capital investment and extensive planning permission.	AEP teams must consult Head Office Water Resources (HOWR) Technical Services team if you are considering this (use the Water Resources Helpdesk).

Stage 2 – send 12 month reminder letters

How to send reminder letters

To make renewals easier for licence holders we have agreed to give 12-months notice of the expiry of their licence and the need to apply for renewal. Work through the steps below to send out the 12-month renewal reminder letters.

Step	When	By	Action
1	15 months before expiry	NPC	Run a 'Web Intelligence' (to be replaced by Business Objects XI) query in NALD to report on licences and variations expiring on the CED. The query should be exported to an Excel spreadsheet. Send the spreadsheet to AEP teams for comment.
2	15 months before expiry	AEP	Identify those licences from the list produced in step 1 that will be subject to non or more restrictive renewal. Comments should also be provided where monitoring or other reports are required and any issues identified (and if pre-application discussions would be required). The AEP team should also highlight whether further consultation is needed. Important: there is a presumption against further consultation for same terms renewals.
3	12 months before expiry	PSC	Produce and send the reminder letters (use WR251 [English] / [Welsh]) and save letters to the Electronic Document and Records Management (EDRM). Note that the sending out of reminder letters can be carried out in batches to help manage workloads as appropriate.
4	12 months before expiry	PSC	Scan previous determination report associated with the licence and store on the EDRM (AEP team will be able to provide report).

Stage 3 – If pre-application discussion is needed with licence holders

Pre-application

NPC staff to discuss the following issues with the licence holder, as appropriate:

Step	Action
1	Follow pre-application process set out in 68_09 Pre-application

Step	Action
	<p>activities for water resources permissions.</p> <p>!!Important:</p> <ul style="list-style-type: none"> Do not run the risk screening tool for applications to renew on the same terms. Same terms renewals need to be processed as 'low risk' applications. Restrict pre-application advice to completing application forms and what the licence holder needs to provide to meet the three tests. <p>Applications to renew on different terms may need more pre-application work.</p>

Stage 4 - receive applications and establish the relevant date

Validate application

PSC staff to do the following administrative checks to accept or return an application:

Step	Action
1	<p>Follow the usual process for accepting a licence application.</p> <p>See: 167_06 Activities on receipt of a water resources licence application.</p> <p>!!Important make sure that you allocate the licence number within the correct catchment. You can double check the catchment and sub-catchment number with the numbers on the existing licence.</p>
2	<p>Consult with NPC if an application to renew is received later than three months from the expiry date of the existing licence.</p>
3	<p>If the application is valid, confirm receipt of the application using WR182 [English] / [Welsh].</p> <p>If the application is invalid, return it by sending letter WR188 [English] / [Welsh] to the applicant.</p>

Screen applications

NPC will need to carry out the following actions on applications, as they are received on to their work queue:

Step	Action
1	<p>Using the comments provided by the AEP teams in stage 2, separate applications into:</p> <ul style="list-style-type: none"> short term licence renewal applications for a same term renewal; CAMS CED licence renewal applications for a same terms renewal; applications with a change of terms.
2	<p>Consider which licences will be suitable for block determination (see Stage 5).</p>

Carry out technical checks

NPC staff will need to carry out the following actions and checks:

!Important:

- Do not run the risk screening tool for applications to renew on the same terms.
- Same terms renewals for licences ending on a CAMS common end date must be processed as 'low risk' applications.

Step	Action
1	Follow the usual process for validating a licence application and establish the relevant date. See the 56_09 Technical checks of water resources licences applications .
2	Check that the licence holder has provided evidence relating to the three tests for renewal .
3	If appropriate, check that the four requirements for a long duration licence are met. See 030_08 Applying a time limit to new and varied abstraction licences .
4	Refer to comments provided by the AEP teams in stage 2 regarding any potential issues with the application.
5	If the existing licence was granted for a short duration, the applicant may need to submit the results from a monitoring programme – refer to previous determination report and licence document.

Applications received early

A licence holder may submit an application to renew their licence before we've sent out the 12 month reminder letter. If this happens, refer to step one below and choose the appropriate course of action.

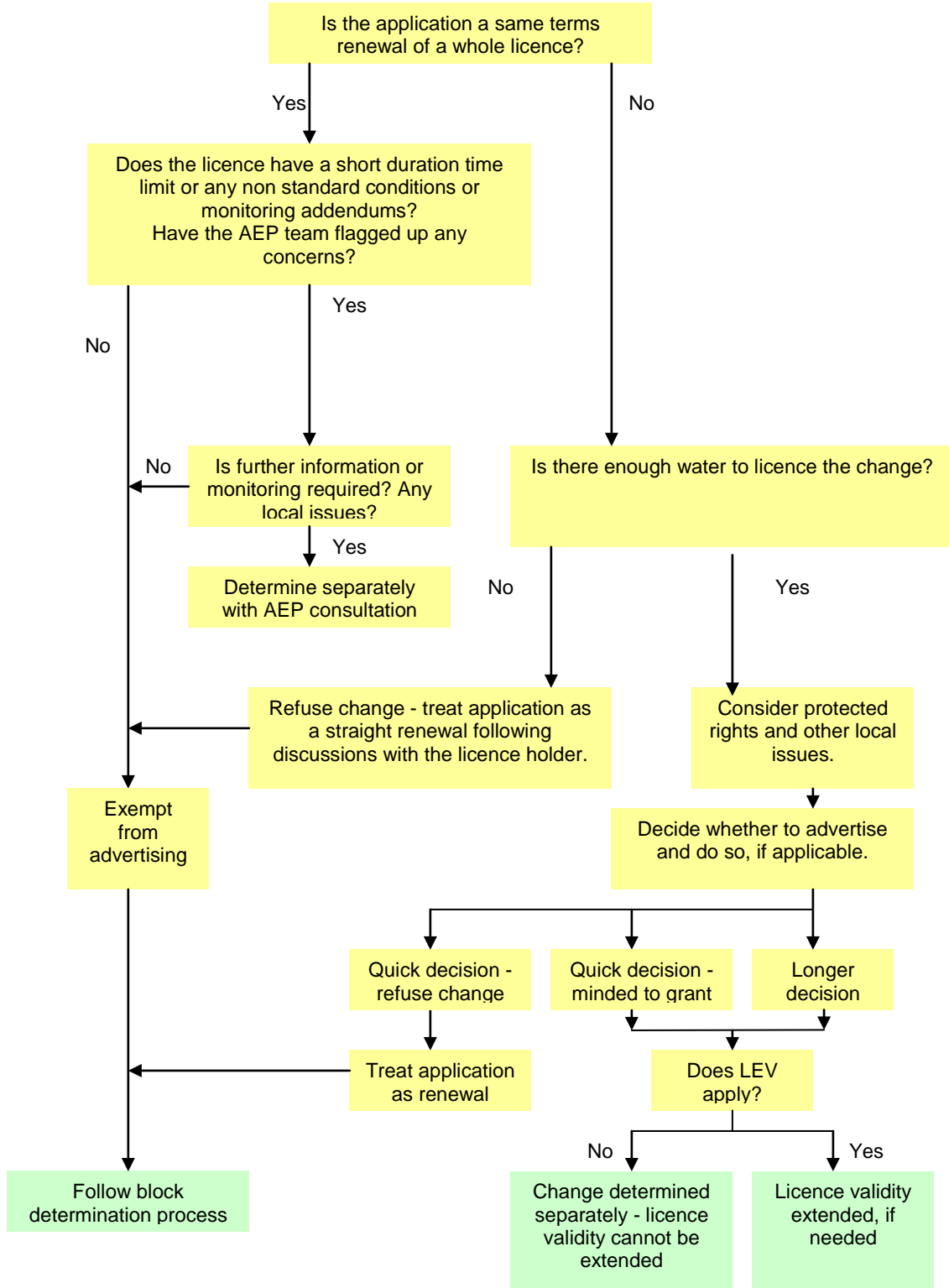
Step	Action
1	NPC will make a decision on how to deal with renewals, based on results from the sustainability appraisal and licensing strategy within CAMS.
Options for NPC include:	
If...	Then...
water is available and there are no uncertainties associated with the application;	grant the licence and apply the skipping principle if appropriate. See 030_08 Applying a time limit to new and varied abstraction licences for further details.
there are uncertainties over water availability or environmental sustainability, particularly if existing licence holders are applying for renewal with a change;	grant the licence with a short duration time limit to tie in with the current CED; or, arrange for an immediate extension of the determination period to the CED.

**No
application
received**

If no application is made before the existing licence or time limited component expires then NPC need to inform the local Environment Management team so that they can check compliance.

Stage 5 - prioritise applications and decide whether suitable for block determination

Stage 5 process overview



Block determination

NPC need to sort licences to allow block determinations. To do this follow the actions below:

Step	Action
1	<p>Use the stage 5 process overview diagram to decide which licences can be determined in block or need to be dealt with separately. Additional guidance on block renewal is given in Part C.</p> <p>The applications suitable for block determination are those where:</p> <ul style="list-style-type: none"> the applicant has applied to renew on the same terms; applications involve a minor change or a reduced quantity.
2	<p>You must also refer to Consider protected rights and lawful users of water, and Limited extension of licence validity (LEV) sections.</p> <p>These legal changes have been introduced by the Water Act to make the renewals process more efficient and are incorporated into this process.</p>
3	<p>NPC should agree an extension to the determination date of the application if appropriate and subject to local issues and consultation with AEP. Where possible this allows licences in a catchment to be all renewed together. It also helps to avoid the determination of individual applications prior to the CAMS, which can be resource intensive.</p>

! Important

When undertaking block renewals, you still need to consult with Natural England / CCW if an abstraction could affect a SSSI or a site designated under the habitats regulations. See the section on [Habitats Regulations and the CROW Act](#) for further guidance.

Long or short duration licences

For applications for long duration licences and licences previously granted with a short duration time limit follow the advice below:

If...	Then...
the renewal application involves an application for a long duration licence,	consider this separately from the block determination process.
the renewal application involves a licence which was previously granted for a short duration due to uncertainties within the catchments,	NPC should deal with that application separately, subject to AEP consultation.

Stage 6 – set relevant date, advertise and consult externally

Decide on advertising

NPC staff will decide on advertising by following the actions below:

Step	Action
1	<p>Renewal applications for a full or transfer abstraction licence are exempt from advertising if they:</p> <ul style="list-style-type: none"> relate to the same point of abstraction and; will take effect immediately after the expiry of the existing licence/variation and; will not allow a greater quantity of abstraction than the existing licence and; will be subject to materially the same terms as the existing licence. <p>Use Table 1 to determine how the exemption and discretion can be applied to different circumstances.</p>
2	<p>If an exemption does not apply and you decide that it is appropriate to exercise our discretion to dispense with advertising, complete dispensation from public notice form WR29.</p> <p>Further information is available in the 79_06 Advertising water resources applications.</p>
3	<p>Confirm the relevant date and formally acknowledge the application by using:</p> <ul style="list-style-type: none"> WR184 [English] / [Bilingual] or WR302 [English] / [Welsh] if you need to extend the determination period. <p>The acknowledgement letter needs to be sent within 28 days of the relevant date.</p>

Table 1

The table below provides guidance on how the exemption from advertising and discretion to not advertise can be applied to different circumstances.

Application	Advertising requirements
Renew on same terms, other than changing the date of expiry	Exempt
Renew a time-limited part of a licence	May need to be advertised – follow the discretion rules
Renew on different terms (excluding reductions in quantity or the revocation of part)	May need to be advertised – follow the discretion rules
Renew an Environment Agency licence on the same terms, other than changing the date of expiry	Exempt
Renew an Environment Agency licence on different terms (excluding reductions in quantity or the revocation of part)	Must be advertised

Renew a time-limited part of a licence held by the Environment Agency	Must be advertised
-----------------------------------------------------------------------	--------------------

Advertising

PSC staff will:

Step	Action
1	Advertise the application within 28 days of the relevant date. Consider advertising in block, where possible.
2	Serve notice and consult appropriate external bodies.

Habitats Regulations & CROW act

If an abstraction could affect a SSSI or a site designated under the Conservation of Habitats and Species Regulations 2010 (SI No. 2010/490) ('the Habitats Regulations') then NPC staff need to follow the actions below:

Step	Action
1	You must assess applications for the renewal of time limited licences (either the whole licence or a variation) under the Habitats Regulations and the CROW Act 2000. This is because they are classed as new permissions.
2	If there is no new information that could change your original assessment of the licence, the renewal process is straightforward. You can use previous information to complete the conservation assessment and consultation process required under Habitats Regulations.
3	If new information has emerged that may change your original assessment, you will need to reassess the impacts of that permission on the European site. For example, we may have changed our understanding of the sensitivity of the interest features. If we have serious concerns about the variation we can refuse it or we may be able to issue it with a short time limit if we believe there is no risk to site integrity over that time limit.
4	Further advice on the CROW Act and Habitats Regulations assessment process is available in: <ul style="list-style-type: none"> ▪ 226_10 Screening and assessing new water resources permissions for impacts on conservation, heritage and landscape.

Limited extension of validity (LEV)

If NPC have been unable to determine a renewal application before it expires, it is possible to extend its validity.

Use [Table 2](#) to understand how LEV operates in a range of different scenarios and if a protected rights assessment needs to be undertaken.

Important! LEV cannot be applied when the application is to renew the time limited part of a licence

You can only extend a licence's validity when **all** of the following criteria are met:

Criteria to be met:

1	the original licence has been in existence for more than one year;
2	a valid renewal application is received no less than three months before the expiry date (or a later date before the expiry date if we agree this);
3	the application is for the same point of abstraction;
4	the licence holder doesn't change (the named holder must be the same for a period of three months or more before the licence is due to expire);
5	the new licence would take effect immediately after the expiry date.

Table 2

The table below summarises how to apply LEV to a range of different scenarios and whether a protected rights assessment needs to be undertaken. See also [Notes to Table 2](#) below.

Type of application *	Must do protected rights assessment?	Does LEV apply?
Same terms	No	Yes
Same terms and/or a reduction in authorised quantities or partial revocation	No	Yes
Same terms renewal of the time-limited component of a licence	Yes	No
Additional quantities	Yes	In some cases, for example, where a HoF is relaxed which extends the period when water can be abstracted, it may change the impacts affecting the original assessment of protected rights (need to use your own judgement or consider as appropriate).
Additional point of abstraction	Yes	
Replacement point of abstraction	Yes	
Change of/additional purpose	Yes	
Same terms renewal but we grant on beneficial terms	In some cases, for example, where a HoF is relaxed which extends the period when water can be abstracted, it may change the impacts affecting the original assessment of protected rights (need to use your own judgement or consider as appropriate).	
	No	

Notes to Table 2

*Assumes that:

- the licence is granted as applied for;
 - the licence has been in place for more than one year;
 - the new licence is valid straight after expiry of the old licence;
 - the application was received three months before expiry;
 - the licence holder is the same (or has not changed hands at least three months before the expiry date).
-

Deciding the length of the extension

The extension in licence validity should be the latest of:

- the effective date of any new licence granted;
 - the end of the period allowed for an appeal;
 - if the application is refused, then the applicant can appeal the decision. The licence remains active until the appeal process is complete.
 - if an appeal is made, the date the appeal is withdrawn;
 - the date the applicant is told their appeal has been unsuccessful (decision by the Secretary of State or the Welsh Ministers).
-

Applying charges

Continue to apply charges when LEV operates and:

- the licence has been in existence for more than a year; and
- we receive an application to renew that licence.

Where this is the case, the original licence will be treated as not expired if we have been unable to determine the application before the licence expiry date, for charging purposes.

Stage 7 - consult internally

Consultation

NPC will carry out consultation by following the actions below:

!Important – take a risk based approach to consultation. There is a presumption **against** internal consultation where applications are:

- for same terms renewal;
- for normal duration licences that expire on a CAMS common end date and
- there are no Habitats Regulations / CROW Act implications.

Step	Action
1	Decide which teams to consult, on a case by case basis with reference to the comments provided by the AEP teams in stage 2.
2	Carry out consultation.
3	Consult on 'block'. If applications involve a change or have issues associated with them, indicate within the consultation which applications they are and any impacts attributable to them.
4	Consult AEP team for applications of renewal of a short duration

Step	Action
	licence.
5	Use: 914_08 How and when to consult on water resources applications , if you need further information.

Stage 8 – consider protected rights and lawful uses or water

Renew a licence on same terms

If an application is made to renew a licence on the same terms, NPC do not need to consider the impact of the abstraction on protected rights, provided that the following checks are made:

Step	check
1	The new licence will take effect straight after expiry of the existing one.
2	The licence holder doesn't change.
3	There are no reports of derogation issues.
These checks make sure that the right of established abstractors are not disadvantaged by newer abstractors and simplifies the renewal process.	

Other renewals

If the application involves different terms renewal of a whole licence or same terms renewal of the time-limited component of a licence, NPC must follow the actions below:

Step	Action
1	Carry out a protected right assessment and have regard to lawful users.
2	Get advice from AEP team on any local issues including potential impacts on European Habitat sites. The extent to which the assessment is carried out will depend on the nature of the changes. Only the varied part of the licence needs to be considered.
3	If an application increases the licence quantity; then consider protected rights or have regard to lawful users in relation to the extra quantity applied for (the component over and above the original quantity).
4	If an application changes the abstraction point; then NPC will need to consider protected rights and have regard to lawful users in relation to the new abstraction point but read the note below before deciding how much work to do. In this case, the Risk Screening Tool may need to be run.

Advice for NPC

The level of detail for this assessment will depend on the circumstances. If an abstraction point has changed on the same ponded reach, for example, the Middle-Levels in the Anglian Region, a re-assessment of the whole licence is still necessary but it is likely that this can be a quick assessment.

A more detailed assessment may be needed for a change to a groundwater abstraction point or to deepen an existing borehole, if it extends into a different aquifer.

Note In all cases NPC also need to be mindful of any other local issues associated with a change to an abstraction licence such as potential impacts on conservation sites, local groundwater levels and river flow.

Stage 9 – determine applications

Technical determination

NPC need to complete the actions below for each application:

Step	Action
1	Check that the applicant can demonstrate that the three tests for renewal have been met. If the three tests are met renew the licence. See Three tests for renewal for full details.
2	Give precedence to the renewal of the existing licence over any application for a new licence or licence variation submitted at the same time by anyone else.
3	Process the renewal of the existing licence on the same priority basis as the existing licence.
4	For individual applications: <ul style="list-style-type: none">Complete the normal template determination report WR46. For block renewals: <ul style="list-style-type: none">Complete the template block determination report WR254.This is the high-level background report which should outline the water resources situation across the relevant CAMS area.NPC will need to use the information from the CAMS Technical document (available on EDRM) to complete this part of the report.Complete the individual abstractor renewal determination report WR254a.

Long duration licences

NPC follow the actions below for applications involving renewal of a long duration licence (that is, greater than 12 years duration):

Step	Action
1	Assess whether the four long duration licence requirements have been met.
2	Complete the normal template determination report – WR46 .
3	Submit the recommendation and justification (supported by a draft licence where appropriate and supporting determination report) to HOWR Technical Services team (use the Water Resources

Step	Action
	Helpdesk). Referral is necessary to ensure consistent application of national policy (see 029_08 Time-limiting policy).

Beneficial review

There may be opportunities for licence holders to renew their licences with less restrictive conditions, as advised by the AEP team.

Examples	
1	<p>Within a CAMS area, investigations of resource availability and the impact of existing abstractions on the water environment indicate that more resources are available than originally assessed.</p> <p>This information will be available in the CAMS documents and is up for the applicant to approach us if they require more water.</p>
2	<p>At a river reach level, a re-assessment of the Hands off flow (HoF) conditions for a group of licences indicates that a relaxation of these conditions may be appropriate.</p>
3	<p>There is no longer a local risk to the water environment or other users associated with the expiring licence.</p>
<p>The licensing and renewals policy in the relevant CAMS will have determined whether this is possible.</p>	

Stage 10 - draft and issue the licences

Issue licence NPC and PSC staff will:

Stage	description
1	<p>NPC staff complete the licence template, WR19 [England] / [EA Wales] / [Welsh]. Refer to the guidance in 976_08 Preparing water resources licence documents 505_09 Preparing water resources licence documents.</p>
2	<p>NPC prepare non-standard responses to letters of representation or decision document as appropriate. Refer to the guidance in 972_08 Determining water resource licence applications (not yet available).</p>
3	<p>NPC team leader approves case decision. Refer to the guidance in 45_09 Approving a water resources licence.</p>
4	<p>PSC staff prepare and send the decision letter and responses to letters of representation, and carry out post-decision updates. Refer to the guidance in 367_09 Notifying applicants and representors of a decision.</p>

If...	Then...
If you are issuing the new licence before the existing licence expires	make sure that the effective date is the day after the date of expiry of the existing licence.
If you are granting a new licence to replace an existing licence that is	Give the new licence a new number.

expiring	
If you are renewing a time limited component of a licence	Re-issue the licence document with the same licence number.
The original licence was subject to two-part tariff charges	the licence holder will have to make a new two-part tariff application. You can find further information about our two-part tariff charging scheme in 309_09 How to process a two-part tariff agreement .
The existing licence benefits from a Section 126 Abatement of charges	NPC will need to re-assess whether the s126 Agreement is still appropriate. See 264_09 Abatement of annual abstraction charges - section 126 agreements for further guidance.

Part B - three tests for renewal

Test one: Continued environmental sustainability

When to consider

Environmental sustainability will have been considered when the licence was first determined.

As part of renewal, you will generally only need to consider whether circumstances or understanding have changed since the licence was last granted. This is particularly true where there are monitoring conditions or addendums attached to a licence.

If a licence has been granted through conversion from permanent to time limited status, you may need to take a more detailed look at environmental sustainability at renewal.

What changes to consider

Changes to environmental sustainability could include:

- a site of nature conservation is designated or upgraded in the vicinity;
- if any local issues have developed since the last licence renewal;
- a change to the operating regime of the abstraction;
- new monitoring data shows an impact from the abstraction;
- issues raised by representations (where renewal includes a variation that needs to be advertised).

The CAMS will identify environmentally unsustainable abstraction and the preferred strategy for dealing with that.

As part of the process it should become clear whether the sustainability of specific licences within the catchment is in question and what changes, if any, might be needed. If these changes mean that the licence has to be renewed on restrictive terms or we are unable to grant it, you should try to give six years' notice.

Local conditions and additional information

There may be special local circumstances that will require the applicant to provide additional, or updated, information in support of an application for a renewal.

Example: A short duration licence may have a monitoring condition. As part of the renewal determination, you may need to assess these results.

Inform the licence holder of any additional information requirements as soon as possible. The responsibility for proving whether the licence meets this test lies with us.

Undertaking an EIA and or pumping test

In certain cases, an Environmental Impact Assessment (EIA) might be needed. To determine whether an EIA is appropriate for a licence application please see [Guidance: Water Resources \(EIA\) Regulations 2003](#) (Doc Ref 67_03).

Each case will need to be considered on its own merits, but the broad principles are as follows:

- if an EIA has never been undertaken, and there would have been a requirement for one had the EIA Regulations been in place at the time, then an EIA may be required at renewal;
- if an EIA was undertaken when the licence was first applied for, then in most cases another will not be required at renewal unless the risk is considered sufficiently high to warrant another check or there has been a material change to the project.

Groundwater investigation tests

Groundwater investigation tests should only be required at renewal if:

- circumstances at the site have changed as described above. If there are uncertainties, set up a monitoring programme at the time of issue;
- there have been specific changes to the site;
Example: Pumping regimes may change within the licensed quantities and the new regime may have the potential to cause an impact.
- the original tests (if done) were inadequate;
- the existing licence was granted without information from a groundwater pumping test;
- the existing pumping regime has not provided sufficient information to determine the renewal.

Test two: Continued justification of need

Justification of need

Follow the actions below to check the need for water is still justified:

Step	Action
1	<p>NPC must check that abstraction is still required and that the level of abstraction authorised in the licence is still reasonable.</p> <ul style="list-style-type: none">▪ As with the initial application for a licence, this will ensure quantities accord with best available guidance, such as the Optimum use of water for agriculture and industry (database and best practice manual).
2	<p>Review abstraction return data over a 12 year period if available. If the renewal is in a critical CAMS catchment you may need to request further information to support the licence renewal.</p>
3	<p>Check if you may revoke a licence for non-use without liability to pay compensation, under section 61 WRA.</p> <p>Section 25 (2) of the Water Act 2003 has changed the period from seven to four years. The four-year period applies to non-use that starts on or after 1st April 2004.</p>
4	<p>Where no abstraction has been made under a time limited licence for</p>

Step	Action
	<p>significant periods, NPC should only renew it if:</p> <ul style="list-style-type: none"> ▪ there is an agreed emergency need; ▪ operational considerations would support periods of non-use; Example: Spray irrigation where land is left fallow to enable crop rotation or other good agricultural practice or due to weather conditions. ▪ the applicant has made a business case, which demonstrates to our reasonable satisfaction that there is a continued need for water.

Test three: Demonstration of efficient use of water

What to consider

Our detailed approach to the third test of renewal is under development.

If a licence holder cannot demonstrate efficient use of water, NPC must still renew their licence in line with the CAMS.

Our interim approach will be to issue the replacement licence with:

- 1) for licences less than 12 years in duration – a self destruct clause or
- 2) for licences greater than 12 years duration – a minimum value condition.

This will provide the licence holder with time to implement efficiency measures before the quantities are reduced.

Justification of need focuses on maximum quantities. When we consider the efficient use of water resources, we look at abstraction within the quantities specified in a licence. Inefficient use could mean higher costs and/or lost production opportunities for a licence holder.

Water efficiency test

The applicant may not have provided information on the water efficiency test until they submit an application to renew their licence.

We are currently developing water efficiency guidance to address this test. It is therefore likely that we will not be in a position to provide notice of any changes relating to this test in advance of the CED.

Part C – criteria for block renewal

When to use block renewal

If an application is a straight renewal, or a renewal at reduced quantities, and there are no environmental concerns, for example with the review of consents process, then it can be considered as a block renewal. If there are outstanding environmental concerns or local issues it should be renewed on its own (still subject to the other tests for renewal).

When not to use block renewal

If a renewal application comes in and involves a variation such as an increase in quantities, where additional impact assessment is required – such as further pump testing, it should be examined on its own and considered as a full variation. If the variation is considered as minor and will not result in further assessment being required, it could be considered with the renewal application.

Grouping applications

Follow the steps below to group applications for block renewal

Step	Action
1	Group applications by CAMS area then by WFD water body (if required).
2	Separate out surface water and ground applications these should be dealt with separately unless there is some connectivity between them. Groundwater applications should be dealt with in aquifer 'blocks' where possible.
3	Consider group applications that have been made by the same licence holder (subject to point 2 above)

Related documents

Links

- [Water Act 2003](#)
 - [Water Resources Act 1991](#)
 - [WR46 template normal determination report](#)
 - WR249 template letter to give six years' notice of non renewal of a licence [\[English\]](#) / [\[Welsh\]](#)
 - WR250 template letter to give six years' notice of renewal on more restrictive terms [\[English\]](#) / [\[Welsh\]](#)
 - WR251 template letter to give twelve months' notice of expiry of time limited licences [\[English\]](#) / [\[Welsh\]](#)
 - [WR254 template block determination report](#)
 - [WR254a individual abstractor renewal determination report](#)
 - [029_08 Time Limiting abstraction licences](#)
 - [030_08 Applying a time limit to new and varied abstraction Licences](#)
 - [External guidance about how time limits work on abstraction licences](#)
 - [167_06 Activities on receipt of a water resources licence application](#)
 - Dispensation from Public notice form [WR029](#).
 - WR182 letter template to confirm receipt of the application [\[English\]](#) / [\[Bilingual\]](#)
 - WR188 letter template to reject an invalid application [\[English\]](#) / [\[Welsh\]](#)
 - WR302 - Formal licence application acknowledgement [\[English\]](#) / [\[Welsh\]](#)
 - [67_03 Water Resources \(EIA\) Regulations 2003](#)
 - [79_06 Advertising water resources applications](#)
 - [030_08 Applying a time limit to new and varied abstraction licences](#)
 - [56_09 Technical checks of water resources licences applications](#)
 - [14_03 revoking a water abstraction licence](#)
 - WR19 [\[England\]](#) / [\[EA Wales\]](#) / [\[Welsh\]](#)
 - [264_09 Abatement of annual abstraction charges - section 126 agreements](#)
 - [309_09 How to process a two-part tariff agreement](#)
 - [45_09 Approving a water resources licence](#)
 - [367_09 Notifying applicants and representors of a decision](#)
 - [914_08 How and when to consult on water resources applications](#)
 - [226_10 Screening and assessing new water resources permissions for impacts on conservation, heritage and landscape.](#)
 - [505_09 Preparing water resources licence documents](#)
 - 972_08 Determining water resource licence applications (not yet available).
 - [68_09 Pre-application activities for water resources permissions](#)
 - [Optimum use of water for agriculture and industry \(database and best practice manual\)](#)
 - [029_08 Time-limiting policy](#)
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