

May 2018

Questions and Answers for spray irrigation licence holders about abstraction licensing in the Ant, Bure and Thurne river catchments

Why is my licence being considered in relation to the Ant Broads & Marshes Site of Special Scientific Interest (SSSI)?

The way water behaves in the Broads is complex and the Ant, Bure and Thurne river catchments each play a part in the levels of water available to the Ant Broads and Marshes SSSI. Due to the recent recognition that this SSSI is showing signs of abstraction-related pressure, we are having to consider the in-combination impact from all (time limited and non-time limited) licences and proposed abstraction across the catchments.

Our Habitats Regulations Assessment (HRA) will identify any changes in abstraction activity required to support the conservation objectives for the whole site (which is part of the Broads Special Area of Conservation), help restore the environmental damage and prevent any further deterioration linked to abstraction.

I have a time limited licence renewal application that is delayed - why is there a delay in determining licence applications?

Unfortunately, we do not as yet have the methodology finalised for this particular HRA hence the delay.

I have a licence that has already expired in March 2018 - what happens now?

Our permitting officers will have spoken with you already to seek your agreement to an extension to the determination period. We believe that everyone affected did feel able to agree. We do appreciate your co-operation.

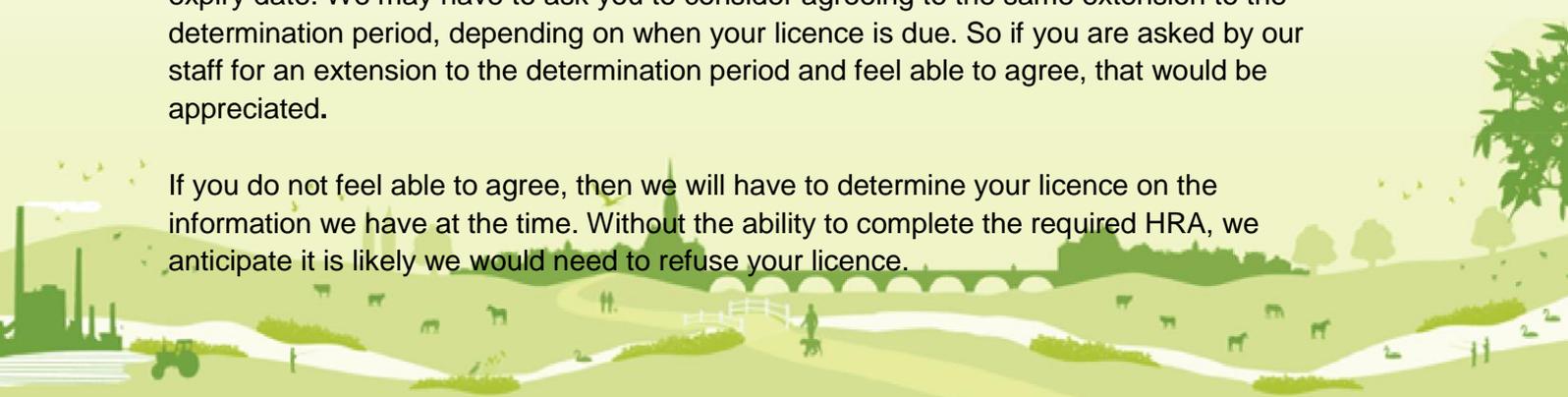
If you are applying for a whole licence renewal, then you can continue to abstract to the conditions of your base licence under what is known as Limited Extended Validity (LEV) whilst we determine your application. Variation renewals do not benefit in the same way but currently there are no same term renewal applications that remain delayed. New variation applications and new applications are affected by the delay in determination.

It is unlikely that we will determine licences before the end of the current irrigation season and so abstractions should continue to be valid under the LEV arrangements until September approximately.

I have a licence due to expire later this year or in March 2019 – what will happen?

There are a small number of licences due to expire later this year and some at the end of March 2019. We invite and encourage you to apply in the normal way and ahead of the expiry date. We may have to ask you to consider agreeing to the same extension to the determination period, depending on when your licence is due. So if you are asked by our staff for an extension to the determination period and feel able to agree, that would be appreciated.

If you do not feel able to agree, then we will have to determine your licence on the information we have at the time. Without the ability to complete the required HRA, we anticipate it is likely we would need to refuse your licence.



When will I know any more?

We held a seminar and technical workshop in March involving representatives from the abstraction community and partners. During April and May we are inviting further technical input and agreement on the assessment methodologies. Following this, we will carry out the assessment. We anticipate having outputs ready for September.

We would like to be able to determine some licences at that point and that may be possible but it will depend on the assessment outcomes. We will be working with the abstraction community to share the results and to explore and agree the solutions.

Who are you involving and talking to?

Natural England are our statutory advisors, but we are also eager to hear from other organisations, licence holders, landowners and interested parties who have knowledge of the site, or the type of ecology involved. A farmer group (together with Paul Hammett, NFU) is representing the interests of BAWAG and NFU members. The NFU has appointed technical experts (in hydrogeology, hydrology and ecology) to represent farmers and growers on the specialist working groups.

Others with an interest are the landowners at Catfield Fen Mr and Mrs Harris, the RSPB and Butterfly Conservation Organisation, the IDB, Anglian Water Services, the Broads Authority, Norfolk Wildlife Trust, agents, abstractors and an independent hydrologist. We are also using Wood, our consultants, for part of the technical work.

How do I make sure my views or concerns are represented?

As a member of BAWAG and/or the NFU, you can raise any questions or concerns through your representative organisations, but you are of course welcome to get in touch with us directly if you would prefer to do so.

Can I provide more evidence to support my application?

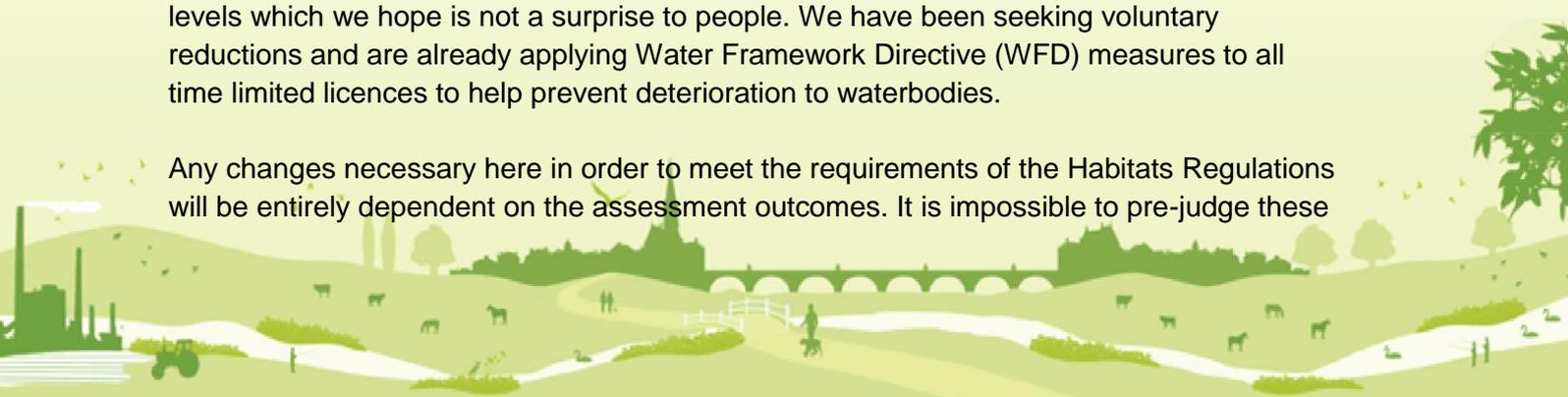
If you would like to provide your own evidence and data to support your application you are welcome to do so although we are doing lots of technical work ourselves to support your application renewals.

We are using a ShareFile system where information relating to the Ant Bure and Thurne licence renewals is available to view so that interested parties can access information or data others have submitted and keep abreast of progress. If you don't already have access to this and would like to, then please do get in touch.

How likely is my licence application to be successful?

Through working with abstractor groups and partners such as the NFU over the past few years, we have been highlighting the concerns over water resource generally. Norfolk, in common, with other some other parts of the country, is under pressure in terms of water availability. This will mean that licenced abstraction is not likely to be sustainable at current levels which we hope is not a surprise to people. We have been seeking voluntary reductions and are already applying Water Framework Directive (WFD) measures to all time limited licences to help prevent deterioration to waterbodies.

Any changes necessary here in order to meet the requirements of the Habitats Regulations will be entirely dependent on the assessment outcomes. It is impossible to pre-judge these



and, until known, we cannot unfortunately offer any indication of risk or certainty in relation to your licence.

I have a non-time limited licence, how does that feature in this process if at all?

All the non-time limited licences across the three river catchments are included in our assessment so we can understand impacts from all abstraction collectively. If the HRA assessment identifies that changes are needed, we will focus on the licences that can be shown to be making the greatest contribution to any adverse impact. We would work with the abstraction community and individual licence holders to take discuss and take forward any necessary changes.

Who can I contact if I want to know more?

If you want further information, wish to discuss your application or the delay, then please do get in touch in the first instance through email to Enquiries_EastAnglia@environment-agency.gov.uk and include ABM in the header, or by calling our local office on 02030 255474.

