

John Albert Terry & Julian Gordon Houghton  
Terry and Houghton Limited  
Queens Farm  
Queens Farm Road  
Shorne  
Gravesend  
KENT  
DA12 3HU

**Our reference:** NPS/WR/025511

**Date:** 27 April 2017

Dear Mr Houghton,

**You asked to remove the land condition**

Thank you for asking on 17 February 2017 to remove the land condition dictating where the water might be used, on licence number 9/40/01/0061/SR.

I enclose the changed licence. These changes apply from 16 March 2017.

Your updated licence may look different, but the licence conditions have not changed. You **must** keep to the conditions.

We recommend that you keep the enclosed licence in a safe place. If you have any questions, please contact us on 0208 474 8939, quoting your licence number.

Yours sincerely,



**Liz Newett**  
**Permitting Support Specialist**  
**Permitting Support Centre**

Direct dial: 0208 474 8939

Direct fax: 0114 262 6697

Direct e-mail: [PSC-WaterResources@environment-agency.gov.uk](mailto:PSC-WaterResources@environment-agency.gov.uk)





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**Water Resources  
LICENCE TO**

**ABSTRACT**

**WATER**

Environment Act 1995  
Water Resources Act 1991 as amended  
by the Water Act 2003  
Water Resources (Abstraction and  
Impounding) Regulations 2006

# IMPORTANT NOTES

## Need for safekeeping

This licence is an important document. The permission or right to abstract water may be valuable to your landholding. So -

- Keep the licence safe, preferably with your deeds etc.
- Take careful note of the comments below about "transfer and apportionment" and "death and bankruptcy".

This is to ensure that the permission and any rights granted by the licence continue if you need to pass it on to someone else.

If you want to:

- revoke (cancel) the licence;
- vary (change/amend) the licence in any way or
- change your contact address (but you continue to hold the licence).

Please write to WR Permitting Support, PO Box 4209, Sheffield, S9 9BS

Details of this licence are placed on a register, kept by the Environment Agency and open for inspection by the public. The public may also obtain further details about it by virtue of the Environmental Information Regulations 2004 (see also Disclosure of Information) except in special cases (for advice please contact us at the address shown on the front page of the licence).

## Transfer and apportionment

If you need to pass this licence or any part of it to someone else, you must contact the Environment Agency and obtain the appropriate application forms. Temporary licences cannot be transferred or apportioned. The licence holder remains responsible for compliance with the terms of the licence and any charges payable until the licence has been transferred or apportioned.

## Death or bankruptcy of the licence holder

If a licence has been 'vested' in you, as a result of the death or bankruptcy of the licence holder, please contact the Environment Agency in writing, telling us the licence number(s) and the date that the licence vested in you as a personal representative or trustee of the licence holder. This is necessary in order to enable you to subsequently transfer the licence.

'Vesting' is the transfer of responsibility and ownership of a licence when an existing licence holder is no longer able to hold the licence either through death or bankruptcy.

You do not have to complete a form, but you must notify us in writing within 15 months of the date of vesting, giving the full names of all personal representatives or trustees and a contact address.

## Time limits

Your licence may be subject to a time limit (stated on the front of your licence). All new abstraction licences are legally required to include a time limit. For variations to licences, time limits are added in accordance with our policy.

The duration of a time limit is determined in accordance with our time limiting policy. The time limit is linked to the next or subsequent review of water resources within a Catchment Abstraction Management Strategy (CAMS).

There will be a presumption of renewal providing three tests are met: environmental sustainability is not in question; there is continued justification of need; and water is being used efficiently. Any application for renewal will still be subject to the normal statutory considerations.

If your licence is time limited and you wish to renew it when it expires, you will need to apply for a new licence to replace the existing one. You are advised to submit this application at least three months before it expires. To allow you to give early consideration to this, we will send you a reminder approximately 18 months before the expiry date.

If your licence cannot be renewed, we will endeavour to give at least six years notice. We will also endeavour to give at least six years notice where the licence is likely to be renewed on different terms and will significantly impact upon the use of the licence.

In exceptional circumstances, for example where there are other overriding statutory duties such as the Habitats Regulations, it may not be possible to provide six years notice.

## Charges

Unless specifically exempted, we may levy an annual CHARGE for water AUTHORISED to be abstracted by this licence, in accordance with our abstraction charges scheme in force at the time.

The licence may be revoked if charges are not paid.

## Quantity and quality of water

You must not abstract more than the quantity specified in the licence.

The Environment Agency does not, by issue of this licence or otherwise, in any way guarantee that the source of supply will produce the quantity of water authorised to be abstracted by this licence, nor that the water is fit for its intended use.

The quantity of water authorised for abstraction is given in cubic metres. One cubic metre is approximately 220 gallons.

(The precise conversion is 1 cubic metres = 219.969 gallons).

## Source of supply and authorised point of abstraction

You may abstract from the point(s) specified in the licence and from no other points. If you want to add or change the authorised point(s) of abstraction, you must apply to us to vary the licence.

## Land on which water is authorised to be used

Where this condition applies, you may only use the water you abstract on the area specified in the licence. You must apply to us to vary the licence if you wish to extend or alter this area or remove it.

## Purpose for which water is authorised to be used

You may only use the water for the purpose(s) specified in the licence. You must apply to us to vary the licence if you wish to add to or change the purpose(s).

## Offences

Under the Water Resources Act 1991 it is an offence:-

- to abstract water, or cause or permit any other person to abstract water, unless the abstraction is authorised by and in accordance with an abstraction licence, or is subject to an exemption;
- to do anything to enable abstraction, or to increase abstraction, except in accordance with an abstraction licence or exemption;
- to fail to comply with the conditions of an abstraction licence.  
**Note in particular that it may be a condition of the licence to maintain the meter or other measuring device etc. and failure to do so will be an offence;**
- to interfere with a meter or other device which measures quantities of water abstracted so as to prevent it from measuring correctly;
- to fail to provide information which we have reasonably required for the purpose of carrying out any of the Environment Agency's water resources functions;
- to knowingly make false statements for the purpose of obtaining a licence or consent or in giving required information.

The requirement for a licence is subject to some exemptions, set out in the Water Resources Act 1991 as amended. If in any doubt as to whether you need a licence, contact us at the address shown at the bottom of the front page of the licence.

## Right of appeal

If you are dissatisfied with our decision on your licence application, you may appeal.

If you are in England, you should write to the Secretary of State for the Environment, Food and Rural Affairs, care of The Planning Inspectorate at: Room 4/19 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

If you are in Wales, you should write to The National Assembly for Wales care of The Planning Inspectorate at: Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.

You must serve notice of appeal within 28 days of the date of receipt of this licence (although the Secretary of State and The National Assembly have power to allow a longer period for serving notice of appeal). See Water Resources Act 1991, section 43.

## Disclosure of information

Information about this licence is available in the public Register held by the Environment Agency. Members of the public are also entitled to ask us for other "environmental information" it holds, including any activities likely to affect "the state of any water" or any "activities or other measures designed to protect it". That would include the information additional to the licence document e.g. any related agreement or abstraction returns. In certain restricted circumstances it is possible to claim that information should be kept confidential. If you require more information about keeping this information off the public register because it is confidential, please contact us by writing to the address shown on the front page of the licence within 28 days of receiving this licence.

Licence Serial No:	9/40/01/0061/SR
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Please quote the serial number in all correspondence about this licence



**FULL LICENCE TO ABSTRACT WATER**

The Environment Agency ("the Agency") grants this licence to:-

John Albert Terry  
Julian Gordon Houghton  
trading as Terry and Houghton Limited

("the Licence Holder")

Queens Farm  
Lower Shorne  
Gravesend  
Kent  
DA12 3HU

Company registration number: 00622302

This licence authorises the Licence Holder to abstract water from the source of supply described in the Schedule of Conditions to this licence and subject to the provisions of that Schedule. The licence commences from the effective date shown below and shall remain in force until revoked.

Signed

Date of issue ..... 27 April 2017

Date effective ..... 16 March 2017

Date of original issue ..... 22 October 1992

**Liz Newett**  
**Permitting Support Specialist**

Environment Agency  
Permitting and Support Centre  
Water Resources Team  
Quadrant 2  
99 Parkway Avenue  
Parkway Business Park  
Sheffield  
S9 4WF

The licence should be kept safe and its existence disclosed on any sale of the property to which it relates. ~~Please read the important notes from the cover to this licence.~~  
References to "the Agency" are to the Environment Agency or any successor body.

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Environment Act 1995  
Water Resources Act 1991 as amended by the Water Act 2003  
Water Resources (Abstraction and Impounding) Regulations 2006

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## SCHEDULE OF CONDITIONS

### 1. SOURCE OF SUPPLY

- 1.1 The source of supply from which water may be abstracted in the pursuance of this licence consists of the watercourse in the Parish of Higham, in the County of Kent.

### 2. POINTS OF ABSTRACTION

- 2.1 On the licence map between points "A" and "B" – National Grid Reference TQ 708 737.

### 3. MEANS OF ABSTRACTION

- 3.1 The means whereby the water may be abstracted shall be a pump or pumps, the total capacity of which shall not exceed 10.10 litres per second.

### 4. PURPOSE OF ABSTRACTION

- 4.1 Spray irrigation

### 5. PERIOD OF ABSTRACTION

- 5.1 All year.

### 6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED

- 6.1 From 1 March to 30 September

37 cubic metres per hour  
582 cubic metres per day  
13,636 cubic metres per year

- 6.2 From 1 October to 28 February.

37 cubic metres per hour  
582 cubic metres per day  
22,750 cubic metres per year

- 6.3 Annual total not to exceed 36,386 cubic metres.

## **SCHEDULE OF CONDITIONS (continued)**

### **7. MEANS OF MEASUREMENT OF WATER ABSTRACTED**

- 7.1 a) The Licence Holder shall as soon as practicable, and in any event within one year from the date of this licence, install a water meter to the reasonable satisfaction in all respects of the Agency whereby the entire quantity of water abstracted in pursuance of this licence is measured.
- b) The Licence Holder shall maintain the meter at all times in proper working order and, on receipt of a written request from the Agency, shall at his own expense have the meter tested by a qualified person approved for the purpose by the Agency.
- 7.2 In the absence or failure of the meter the Licence Holder shall make an assessment to the satisfaction of the Agency of the quantities of water abstracted throughout any period of such absences or failure; if the Agency is not satisfied with the assessment made by the Licence Holder, the Agency shall make their own assessment of the quantities of water abstracted which shall be final and binding for all purposes.

### **8. RECORDS**

- 8.1 The Licence Holder shall read the meter at the end of each year ending at 9am on the 1 October, and shall also read the meter at the end of the month during which abstraction has taken place from the source of supply.
- 8.2 The Licence Holder shall keep and preserve for a period of five years from the date of each reading of the meter, and make the record available for inspection by the Agency during all reasonable hours.
- 8.3 The Licence Holder shall keep and preserve for a period of five years from the date of each reading of the meter, and make the record available for inspection by the Agency during all reasonable hours.
- 8.4 The Licence Holder shall make a return to the Agency not later than the 1 November every year, on a form to be supplied by the Agency, of the total quantity of water abstracted in the course of the preceding year ending on 1 October, and of the monthly readings.

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## **SCHEDULE OF CONDITIONS (continued)**

### **9. FURTHER CONDITIONS**

9.1 Land on which licence authorises use of water:  
Land boldly outlined on licence map.

9.2 No abstraction shall take place to fill the reservoir:

- (i) When the water level in the Canal at Point "X" is at or below the invert level of the twin pipe culvert.
- (ii) So as to reduce the overflow from the canal at Point "X" to 0.0042 cumecs or below.
- (iii) Until the Licence Holder has provided a gauge board and measuring device for the purpose of Condition 9.2 above and sited, installed and maintained the equipment to the requirements and satisfaction of the Agency.
- (iv) Except via a fixed intake provided, sited and maintained by the Licence Holder to the requirements and satisfaction of the Agency.

## **ADDITIONAL INFORMATION**

Note: the following information is provided for information only. It does not form part of the licence.

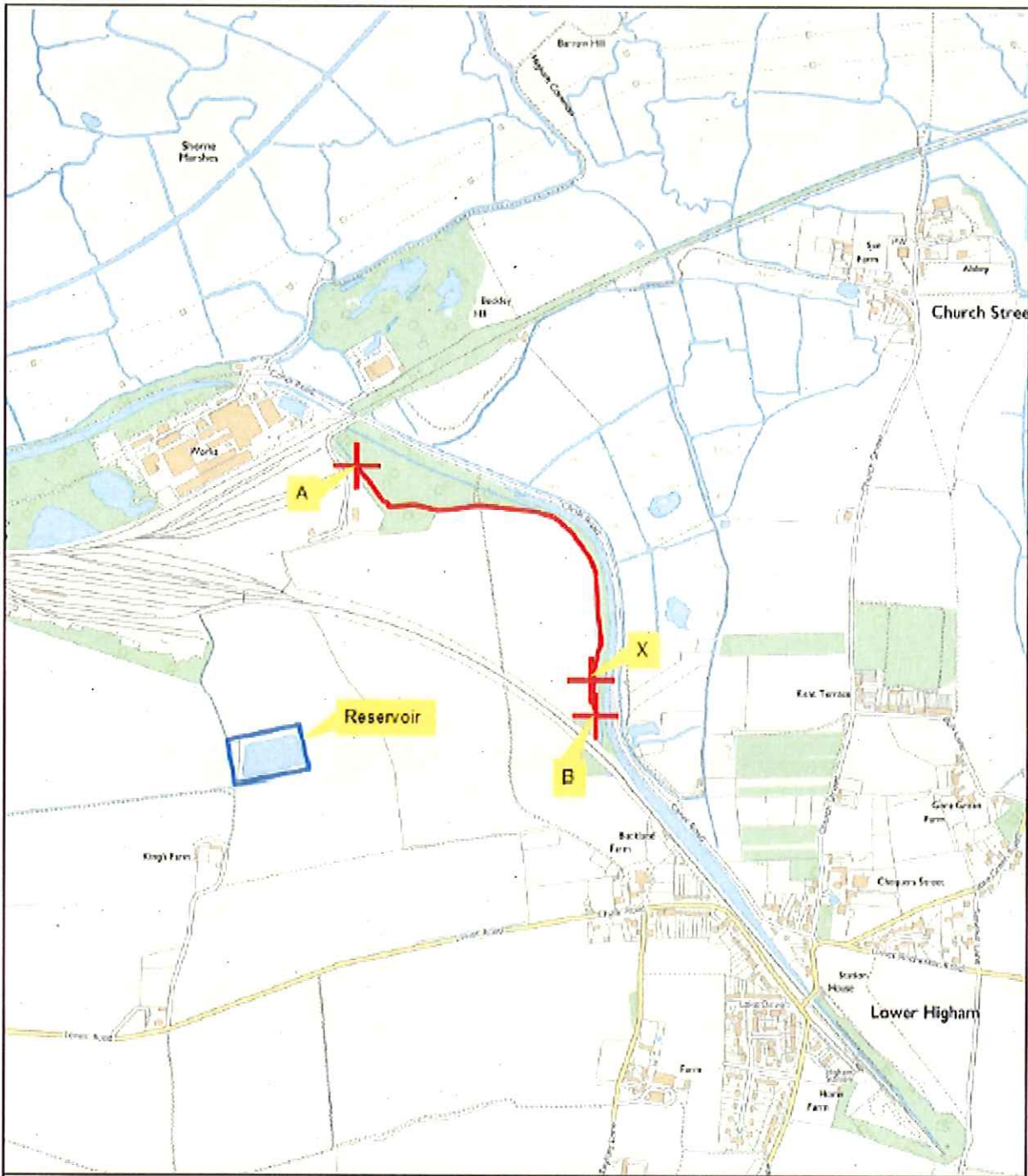
### **REASONS FOR CONDITIONS**

To secure the proper use of water resources of the area.

### **IMPORTANT NOTES**

#### **Licence History**

The serial number of this licence was formerly 9/40/01/61/SR. We have changed it to 9/40/01/0061/SR for administrative reasons.



	<p align="center"><b>MAP ACCOMPANYING LICENCE NUMBER</b>  <b>9/40/01/0061/SR</b>          Scale 1:10,000</p>	