



CROWBERRY CONSULTING
Environment, Ethics and Corporate Responsibility Management

Water Pollution & Regulation FAQ's



Image from Green and Growing.

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1. Abstraction / Impoundment Licences (Consumption of Water).

What Is It?

If you take or store surface water or groundwater from any source, you are abstracting or impounding water, and by virtue of the [Water Resources Act 1991](#), you need a licence to do so. This licence will give you a right to take a certain quantity of water from a source of supply (inland water such as rivers or streams or an underground source.)

Abstraction licences are issued for a time-limited period, normally 12 years, by the [Environment Agency](#).

Why Do We Need Licenses To Abstract Water?

Without licences, persistent over abstraction or works that obstruct or impede the flow of water in a watercourse could lead to:

- Shortages in water supply,
- Increased river pollution by reducing dilution of pollutants,
- Damage to fisheries and wildlife habitats, and
- The loss of rivers for our recreation and enjoyment.

By licensing, the level of abstraction can be controlled to protect both water supplies and the environment.

Do I Need A Licence?

If you abstract or impound water, you may need a licence from the [Environment Agency](#), depending on how much you take. This applies even if you move water temporarily and return it to the source.

Surface water and groundwater sources include:

- Rivers/streams/lakes.
- Reservoirs.
- Estuaries.
- Coastal waters.
- Wells.
- Springs.
- Boreholes.

If you take water from the mains supply you don't need a licence. If you abstract more than 20 cubic metres of water (4,000 gallons) a day from surface waters or groundwater, you must get an abstraction licence from the [Environment Agency](#).

How Do I Apply For A Licence?

Depending on what type of licence you need, different forms are required which must be submitted to the [Environment Agency](#). Initially you should contact the Agency to discuss your proposal. They will be able to advise you on relevant local issues and provide guidance on matters specific to your proposal. It is also advisable to find out how much water is available in your area by viewing the [Catchment Abstraction Management Strategies \(CAMS\)](#).

[A guide to applications for water resource licences can be found here.](#)

If you wish to abstract water from an underground source, such as a well or borehole, you will usually require a groundwater investigation consent to construct and then carry out a pumping test before you can apply for an abstraction licence.

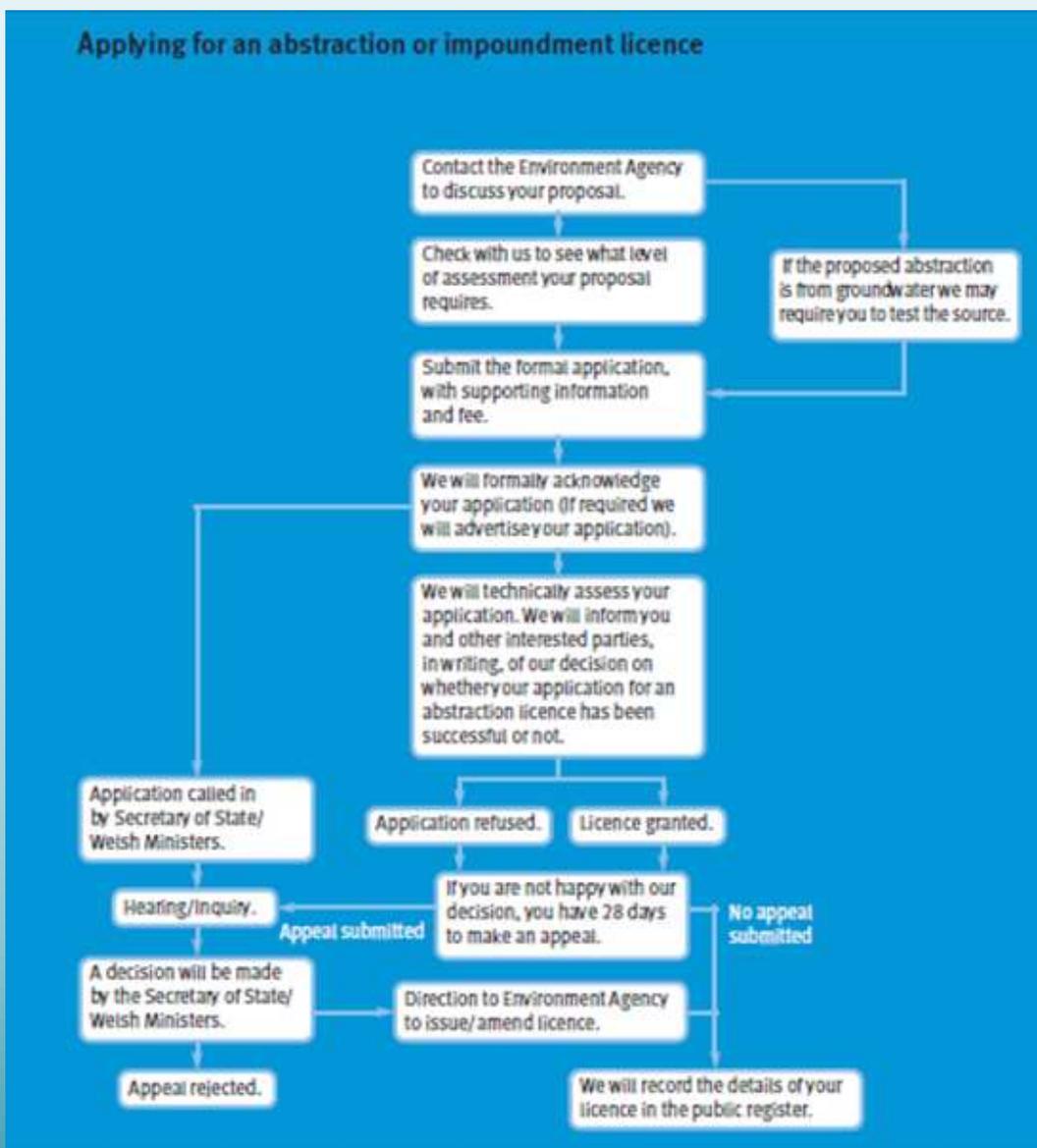


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2. Trade Effluent Consents/Licences (Discharge of Water).

How Can I Save Water?

By saving water, you are preventing a breach of your licence occurring or you can avoid having to get a licence altogether if you fall under the 20 cubic meter threshold.

This can be done by:

- Adopting a systematic approach to water reduction which can typically result in around 30% water savings if no measures have previously been implemented.
- Where possible, use a water butt to harvest rainwater so less abstraction is needed.
- Educate your staff properly on the importance and practices of water efficiency
- Install efficient flush toilets and automatic/sensor taps in toilet facilities on site.
- Make sure your pipes are protected against cold weather as leakage can increase after a burst due to frost.

What Is It?

‘Trade effluent’ means effluent from any works, apparatus, plant or drainage pipe used for the disposal to waters or to a sewer of any liquid (whether treated or untreated), which is discharged from premises used for carrying on any trade or industry.

So, if you wish to discharge trade effluent into a public foul sewer, you must obtain a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company (e.g. Thames Water).

The [Water Industry Act 1991](#) (followed by the [Water Industry Act 1999](#)) set this out - that organisations generating trade effluent must apply for a ‘consent to discharge’. This is supplemented by the [Water Resources Act 1991 \(amended in 2009\)](#) which controls the discharge of materials to ‘controlled waters’.

Why Do We Need Licences To Discharge Effluent?

To avoid causing serious damage to the sewage system and creating a risk of danger to public health. People working in the confined space of a sewer can be at risk from even very small amounts of some chemicals. Furthermore, it is of the utmost importance that we strive to maintain excellent quality drinking water in the UK.

Do I Need A Licence?

You must have a trade effluent consent or agreement if you:

- Discharge trade effluent into a public foul sewer.
- Discharge any surface water run-off from oil-contaminated hard surfaces or wash substances such as oils, chemicals, food, inks or powders into a public foul sewer.
- Use a sink, basin, toilet or gully for disposing of any liquid wastes or discharge wash waters into a public foul sewer, apart from domestic sewage.
- Wash and clean vehicles on site.

You must arrange for a new trade effluent consent or agreement if:

- The volume or composition of your discharge changes.
- You are no longer able to comply with the conditions of your consent or agreement.
- You stop the discharge and then want to start it again.

Trade effluent is any liquid waste resulting from non-domestic or industrial activity - it includes:

- Wastewater contaminated with oils, chemicals and solvents.
- Liquid process wastes.
- Detergents.
- Condensate water from compressed air installation
- Biodegradable liquids.
- Contaminated mine or quarry water.

If your effluent is hazardous, you must dispose of it as hazardous waste!

How do I get a licence?

- You need to contact your [local water and sewerage company](#) to retrieve the necessary forms.

Who Regulates The Use Of Water And Water Quality?

- [Consumer Council for Water](#).
- [Drinking Water Inspectorate](#).
- [Environment Agency](#).
- [Water Services Regulation Authority \(OFWAT\)](#).

Your local water and sewerage company will assess and allocate your site into a 'band' based on size and water use, and charge for water leaving premises annually on this basis.

One example of this is Zen Office Ltd; United Utilities (which serves the North West) deemed this site to be in band 6. By using techniques such as rainwater harvesting tanks, Zen Office could easily reduce their water consumption, thus fall into a lower band and save money, whilst helping to protect the environment and water supplies.

What Happens When I Don't Comply With The Terms Of Either Licence?

Abstraction:

- Heart of England Promotions Ltd were found guilty of unlicensed abstraction contrary to the Water Resources Act 1991 and fined £5000.
- A fishing lake owner was fined in March 2012 for illegally abstracting water at a time of potential drought. The court heard that in May 2011 about 806 cubic metres of water was abstracted from Blue Gowt Drain over six days, just weeks before the area was declared to be in drought. For breaching section 24(1)(a) and 24(4)(a) of the Water Resources Act 1991, the defendant was fined £3,300 with an additional £3,873 costs.

Trade Effluents:

- Severn Trent Water were recently fined £465,000 for repeatedly polluting a water course in the East Midlands with sewage. The incident occurred between May and April 2014 and the company pleaded guilty in November 2015.
- Pincroft Dyeing and Printing Company Limited was fined £3,500 for a pollution incident which resulted in blue discolouration of the River Douglas in January this year.
- In 2016, United Utilities Water Limited were fined a total of £1 million by Bolton Crown Court on 24th June 2016 for polluting a nearby brook with Sodium Hypochlorite (a corrosive bleach type substance).

TOP TIP: always envisage the worst-case scenario in relation to every liquid storage or movement activity that takes place at your site! For business it is important, both financially and environmentally, to ensure that; water is used carefully, water leaves the company as clean as possible, and that all leakages are identified and repaired.

Advice on pollution prevention is available on the [Environment Agency website](#).

How Can Crowberry Consulting Help You?

- Assess your site's banding under the local authority's tariff – you could go from band 6 to 5 with some simple measures, like Zen Office as described above.
- Check the terms and conditions of your abstraction and trade effluent licences and see if the pH requirements etc are too stringent and whether the company is unknowingly close to breaching the conditions.
- Crowberry Energy can provide a water minimisation audit, and improve efficiency of taps, toilets and urinals, showers and water fittings.

Compiled by Ellie Digby – Legal Executive.
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