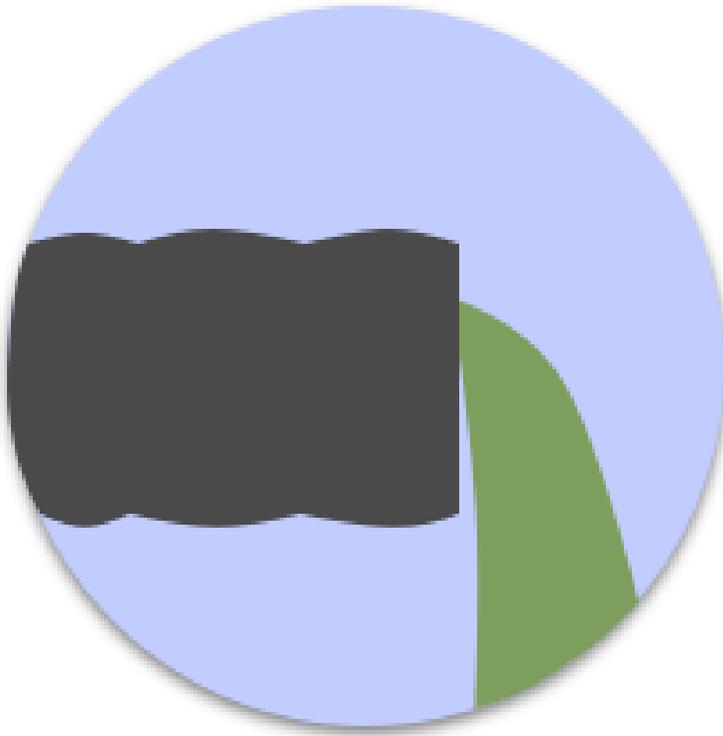


CROWBERRY CONSULTING
Environment, Ethics and Corporate Responsibility Management

Water Pollution & Regulation FAQ's



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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. The higher the number, the greater your water use and consumption.

One example of this is ABC 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, ABC 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.



Image from the Guardian



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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.



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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.



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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.



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English and Welsh Regulations

The [Water Supply \(Water Quality\) Regulations 2016](#) and [2018](#) are almost identical. The 2016 Regulations relate mainly to England, whereas the 2018 Regulations relate to mainly Wales. They transpose [Directive 98/83/EC](#) concerned with the quality of water intended for human consumption.

They require water undertakers to identify every point from which it abstracts water for supply and also those which they take samples from. They must also investigate the cause of any failure, of any parameters set out in [Schedule 1](#) or any indicator parameters set out in [Schedule 2, Part 8](#) of the Regulations regulates the substances, processes and products that may be used in the treatment of supply water. This is mainly to minimise the risk of copper and lead contamination from pipes. The water undertaker must:

- disinfect the water, and where necessary subject the water to sufficient preliminary treatment to prepare it for disinfection
- Design, operate and maintain the disinfection process so as to keep disinfection by-products as low as possible without compromising the effectiveness of the disinfection, and then verify the effectiveness of the disinfection process.

It is important to follow these Regulations as every duty laid down is enforceable under [Chapter II of the Water Industry Act 1991](#).

The Scottish Regulations

Scottish Regulations in relation to Water Supply and Water Quality do vary from England and Wales, they have separate requirements for [Public Water Supplies](#) and [Private Water Supplies](#). The aim of both are still “to protect human health from the adverse effects of any contamination of water supplied by Scottish Water for human consumption purposes by ensuring that it is wholesome and clean.” Both Regulations work in line with the [Water \(Scotland\) Act 1980](#) and are directed at the achievement of [Council Directive 98/83/EC](#).



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

Abstraction:

- The 2018 heatwave led to a number of license holders breaching their conditions and this year some illegal abstractions have already been uncovered, and so the EA are deploying drones for the first time to gather information on potential unlicensed abstractors.
- 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:

- In 2019 Wastcountry River Trusts were fined £350,000 to offset the damage to the Tamerton Stream near the Tamerton Estuary in Devon, after sewage entered from an overflowing manhole, killing 100 brown trout.
- In December 2018, Thames Water were fined £1.8m, whilst also making £200,000 in contributions to local wildlife and environmental charities, for a “reckless” discharge of sewage from its Milton-under-Wychwood pumping station into a nearby brook.
- Stydd Gardens were ordered to pay more than £9,000 for three unpermitted discharges of sewage and one offence of failing to comply with the EA's notice in 2019.

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](#).



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The 'B' Word

Water and Wastewater legislation is a devolved subject, meaning it is regulated by the different devolved states of the United Kingdom.

Following Brexit, there is some fear as to the impact towards water laws and regulations. Dr Sarah Hendry of the University of Dundee has assessed the different laws and statements which have been released on the lead up to Exit day in an online [article](#) and she suggests that in the short term, there will not be significant changes to water policy; however, in the medium-to-long term, there is a risk that the current protections may become weakened, as new technical standards may not be adopted and due to the devolved nature of this policy area, it still is unknown whether there will be a coherent and well-coordinated policy across all devolved nations.



Image from [JCB Solicitors](#)



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How Can Crowberry Consulting Help You?

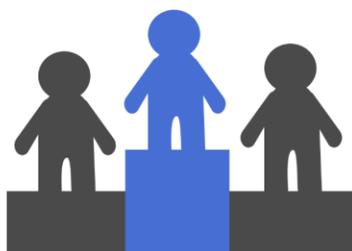
- Assess your site's banding under the local authority's tariff – you could go from band 6 to 5 with some simple measures, like ABC Office as described above.
- Check the terms and conditions of your abstraction and trade effluent licences and see if the pH requirements etc are too stringent and whether 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.
- We can also support you company in implementing the Environmental ISO140001 and can conduct internal environmental audits to help you achieve the certification

WE CAN HELP YOU IMPLEMENT ISO 14001 -

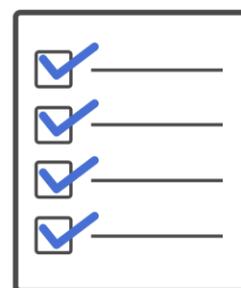
ENVIRONMENTAL:



Clause 4 - Context of the organisation



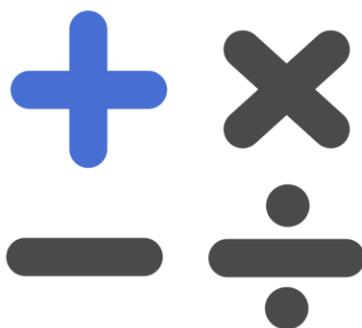
Clause 5 - Leadership



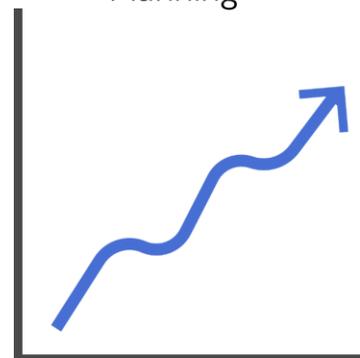
Clause 6 - Environmental Planning



Clause 7 - Support



Clause 8 - Operations for Environment



Clause 9 - Performance Evaluation



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