

From: [Patrick Durnford](#)
To: [A303 Stonehenge](#)
Subject: Representation Regarding Factual Inaccuracy
Date: 11 June 2019 16:37:43
Attachments: [Licence - JM Turner Son.pdf](#)

Dear Sir or Madam,

I attended the Issue Specific Hearing (4) held today (11th June 2019).

I would please like to make the inspectorate aware (acting on behalf of my Client the Turner family of Manor Farm Winterbourne Stoke, who are affected landowners) of a significant factual inaccuracy regarding the information presented at the Hearing and request remedial evaluation.

During the Hearing the Inspectors were shown: FIGURE 10.5 GROUNDWATER SOURCE PROTECTION ZONES, GROUNDWATER ABSTRACTIONS AND RIVERS WITHIN THE GEOLOGY AND SOILS STUDY AREA. The representative of Highways England used the plan to show those groundwater receptors (abstractions) that are positioned in close proximity to the proposed alignment.

My client does in fact have a licenced abstraction that is not marked on the Fig 10.5. Highways England was made aware of this missing information through response to consultation dated 19th April 2018. Copies of the abstraction licences were subsequently sent to Highways England. We were then informed accordingly that the Environmental Statement was updated and an explanation given as to why this abstraction was not assessed in the first instance. This confirmation was provided in the Consultee record of Engagement ID: SH230418-10. I paste below the relevant extract.

I attach a copy of the abstraction licence – which includes a plan marking the locations of the wells and boreholes.

Water abstraction, particularly point CL021 (see appendix of response document)	Water Abstraction	Environment	<u>Issue</u> The PEIR has not taken account of water abstraction from Manor Farm. Therefore there are a further five points of abstraction in close proximity to the proposed works which are receptors risks for contamination.	We can confirm that the project team received a plan from the Turner which confirmed the location of four of the boreholes. These boreholes have been included within the ES, including an explanation of why they were missed in the PEIR. A 50m exclusion zone will be applied the boreholes where they sit wholly or partially within the DCO boundary.
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		<p>Abstraction license for 5 points (Greenlands Farm, Foredown, Longbarrow, Manor Buildings, Manor Farm) had expired due to a change of ownership and is in the process of renewal by the Environment Agency. The above points of abstraction have therefore have not been referenced within sections 10.2 and 11.5.50 of the PIER.</p> <p><u>Solution</u></p> <p>The pier needs to be updated to reflect the actual situation.</p> <p><u>Issue</u></p> <p>Water abstraction Point Marked CLO21 on Fig 10.2 of PIER Appendix, is functional and critical to the farm.</p> <p><u>Solution</u></p> <p>Water pipes traverse areas proposed as compounds and therefore an alternative secure supply is required.</p>	<p>However, there seems to be disconnect between the four boreholes previous identified by the Turners and the five locations mentioned here. Could the Turners please provide confirmation of the location of the Foredown and Manor Buildings boreholes?</p> <p>Possibility of using the water supply for the tunnel if supply is affected. However, it not expected to be required</p>
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Context:

A summary of the background as to this licenced abstraction is given within the record of consultation. In essence, my Clients were in the process of abstraction licence renewal and were subsequently issued with an abstraction licence in June 2018 (I attach a copy of that Licence).

Concern:

It appears that despite the fact that many conversations have been held with Highways England regarding these boreholes and a copy of the licence has been provided (and visits to set up monitoring). The Environmental Statement only references the pre-existing licence and not the current and renewed abstraction. Crucially it also does not show these abstraction points on Fig: 10.5 (the main abstraction point being located immediately adjacent to the route alignment and proposed compound).

We ask the Planning Inspectorate to require the applicant to acknowledge this consented abstraction and to update their documentation.

At approximately 12:43 am this morning the Applicants representative, summarised that Highways England had properly evaluated all receptors and concluded that none were in areas of risk. We would ask that the Planning Inspectorate require that this exercise be reassessed, as it appears that a crucial point of abstraction in proximity to the engineering works has been overlooked.

We are extremely concerned about this, particularly in the context of separate representations made over the risks to and dependence on groundwater to the farm.

We respectfully request that this matter be referred to the applicant for urgent redress.

Yours faithfully,

Patrick Durnford [BCS HONS MRICS](#)
DIRECTOR

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Fowler Fortescue, The Old Dairy, Fonthill Bishop, Salisbury, Wiltshire SP3 5SH

A list of directors is available for inspection at the registered office address shown.

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Environment
Agency

**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, Quadrant 2, 99 Parkway Avenue, 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.

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:

SW/043/0023/010

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:-

Robert Turner
Fiona Turner

("the Licence Holder")

trading as J & M Turner and Son
Manor Farm
Winterbourne Stoke
Salisbury
Wiltshire
SP3 4SZ

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 the date of expiry shown below.

Signed S Grantham

Date of issue 15 June 2018

Simon Grantham
Permitting Team Leader

Date effective 15 June 2018

Date of expiry 31 March 2023

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' on the cover to this licence.

Note: References to "the map" are to the map which forms part of this licence.
References to "the Agency" are to the Environment Agency or any successor body.

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

- 1.1 Underground strata comprising Chalk at Manor Farm, Winterbourne Stoke, Salisbury, Wiltshire.

2. POINTS OF ABSTRACTION

- 2.1 At National Grid Reference SU 09780 43812 marked 'A' on the map.
- 2.2 At National Grid Reference SU 08221 42074 marked 'B' on the map.
- 2.3 At National Grid Reference SU 09214 41548 marked 'C' on the map.
- 2.4 At National Grid Reference SU 07728 41190 marked 'D' on the map.
- 2.5 At National Grid Reference SU 07595 40983 marked 'E' on the map.

3. MEANS OF ABSTRACTION

- 3.1 Point 'A' – a brick well not exceeding 25 metres in depth and 1.6 metres in diameter with a submersible pump.
- 3.2 Point 'B' – a brick well not exceeding 13 metres in depth and 1.6 metres in diameter with a submersible pump.
- 3.3 Point 'C' – a borehole not exceeding 31 metres in depth and 77 millimetres in diameter with a submersible pump.
- 3.4 Point 'D' – a brick well not exceeding 10 metres in depth and 1.6 metres in diameter with a submersible pump.
- 3.5 Point 'E' – a brick well not exceeding 5 metres in depth and 1.6 metres in diameter with a submersible pump.

4. PURPOSES OF ABSTRACTION

- 4.1 Agricultural other than spray irrigation.
- 4.2 Domestic.

5. PERIOD OF ABSTRACTION

- 5.1 All year.

6. MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED**6.1 Point A:**

1.4 cubic metres per hour
17 cubic metres per day
5,973 cubic metres per year

At an instantaneous rate not exceeding 0.4 litres per second.

6.2 Point B:

1.4 cubic metres per hour
11 cubic metres per day
3,982 cubic metres per year

At an instantaneous rate not exceeding 0.4 litres per second.

6.3 Point C:

1.4 cubic metres per hour
14 cubic metres per day
4,977 cubic metres per year

At an instantaneous rate not exceeding 0.4 litres per second.

6.4 Point D:

1.4 cubic metres per hour
14 cubic metres per day
4,977 cubic metres per year

At an instantaneous rate not exceeding 0.4 litres per second.

6.5 Point E:

1 cubic metres per hour
5 cubic metres per day
818 cubic metres per year

At an instantaneous rate not exceeding 0.3 litres per second.

Note: an hour means any period of 60 consecutive minutes, a day means any period of 24 consecutive hours and a year means the 12 month period beginning on 01 April and ending on 31 March.

7. MEANS OF MEASUREMENT OF WATER ABSTRACTED

- 7.1 (i) The Licence Holder shall use one meter for each separately identified point of abstraction to measure quantities of water abstracted.
- (ii) No abstraction shall take place unless the Licence Holder has installed any meters required in (i) above.
- (iii) The Licence Holder shall position and install the meters in accordance with any written directions given by the Agency.
- (iv) The Licence Holder shall maintain, repair or replace any meters to ensure that accurate measurements are recorded at all times.
- (v) The Licence Holder shall retain all evidence of the repair of the meters or replacements including evidence of current certification for inspection by the Agency for 6 years.

8. RECORDS

- 8.1 (i) The Licence Holder shall take and record readings of the meters specified in condition 7.1 at the same time each month during the whole of the period during which abstraction is authorised or as otherwise approved in writing by the Agency.
- (ii) The Licence Holder shall send a copy of the record required by condition 8.1 or summary data to the Agency within 28 days of being so requested in writing by the Agency.
- (iii) Each record shall be kept and be made available during all reasonable hours for inspection by the Agency for at least 6 years.

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

The abstraction is required to be metered to demonstrate compliance with the terms of the licence and to provide information on actual water usage for water planning purposes.

The licence is time-limited to a date to reflect the timing of a future review of the catchment resources availability.

IMPORTANT NOTES

Abstraction Reform

We have granted this licence in line with current legal requirements and policies on managing water resources. However, Government have consulted on reforms which may affect the duration, quantities and management of licences before your current licence expires (ends). You should take account of this when making business decisions. If you would like to find out more, please search for 'abstraction reform' on gov.uk.

Water efficiency note

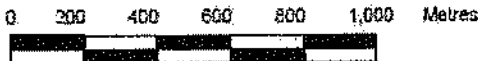
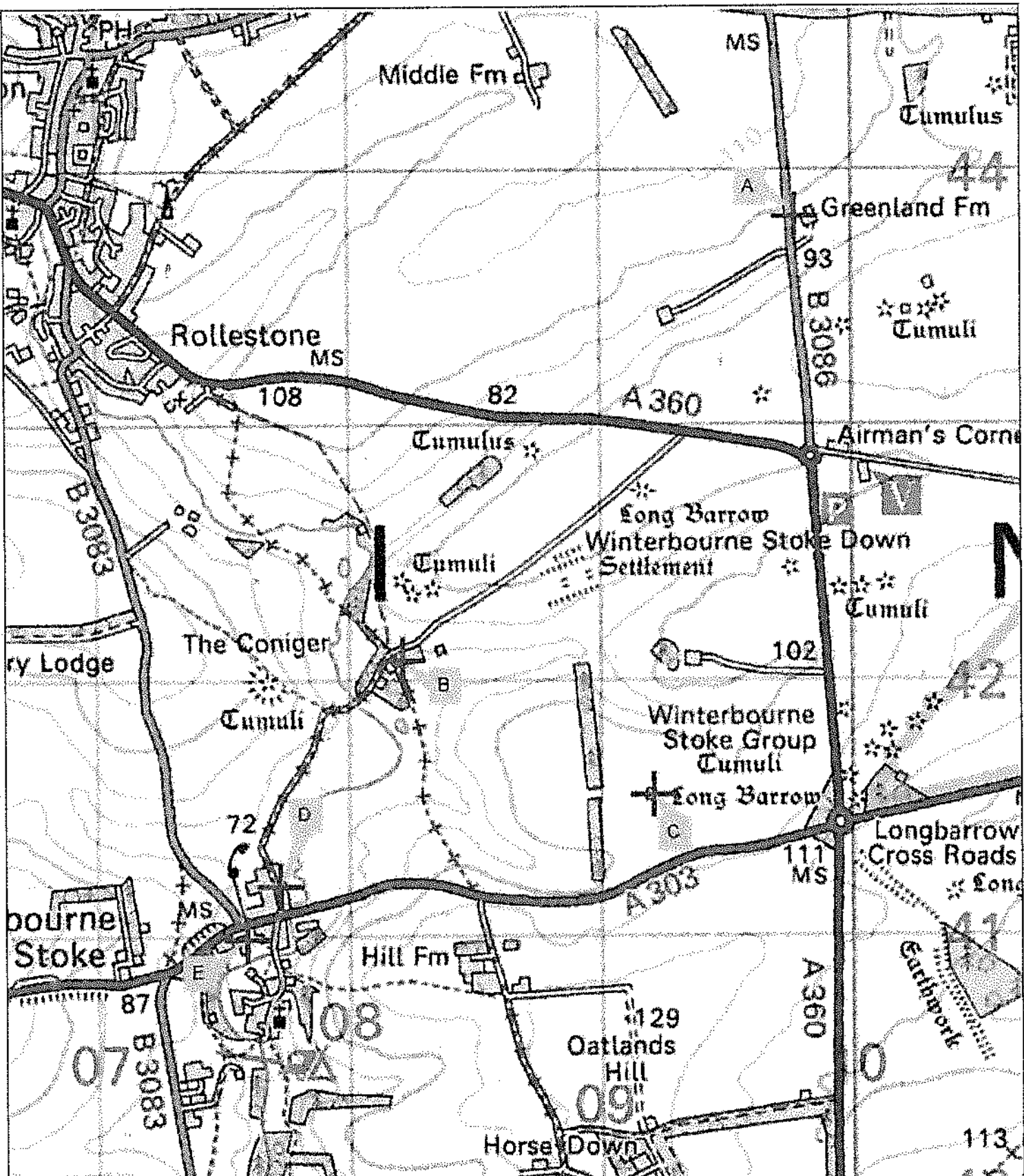
The Licence Holder should use water abstracted under the terms of this licence in an efficient manner. The Agency may refer to its guidance on water efficiency (or equivalent guidance) in determining whether water is being used efficiently and may offer advice on any measures considered necessary to meet particular recommendations.

Metering

The Agency will have regard to its Abstraction Metering Good Practice Manual (or equivalent guidance) in directing any of the following: where the meter should be located or how it should be installed; whether the meter measures accurately, and/or is properly maintained; whether it is necessary to require repair or replacement of the meter.

Licence History

Licence serial number	Issue date	Expiry date	Summary of changes
13/43/023/G/074	01/05/1967	N/A	Licence issued in name of J. L. Turner esq – lapsed 19/04/2017 due to failed vesting
SW/043/0023/010	15/06/2018	31/03/2023	New licence issued to Robert Turner and Fiona Turner to replace lapsed licence under application reference NPS/WR/028030



MAP ACCOMPANYING LICENCE NUMBER

SW/043/0023/010

Scale 1:20,000



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