



## The Water Environment (Controlled Activities) (Scotland) Regulations 2011

# Licence Application FORM A

To be completed by all licence applicants

### How we use your personal information – Data Protection Act 2018 ('DPA 2018')

Under the DPA 2018, we must have a legal basis for processing your information – in this case, processing personal information is necessary to perform our statutory duties ('Public Task').

Some of the ways in which we collect and use the information may be through:

- granting and administering of authorisations and maintaining registers
- investigating environmental complaints
- undertaking formal enforcement action
- maintaining our own accounts and records

The personal information we collect and use may include the following: name; address, including postcode; email address and telephone number. SEPA is required, by law, to organise and maintain public registers, and make these registers available for public inspection. We do this by collecting and using the personal information that applicants (or their agents) share in their applications for SEPA authorisations and SEPA permits. After the application form has been processed, some of the information from the form is added to the public register, and becomes available for public inspection. , Signatures, personal email addresses, and telephone numbers are not published, unless publication is statutorily required.

There may be occasions when we are required by law to share your personal information with other organisations, e.g. for regulatory reasons, or because doing so is in the general public interest. Any sharing will be carried out lawfully and securely in accordance with the [SEPA Data Protection Policy](#).

For more information on how SEPA handles personal information, please refer to our general Privacy Policy at <https://www.sepa.org.uk/help/privacy-policy/>

**SEPA application forms: General Guidance**

You should read the "Guide for Applicants" before completing this licence application form. **Form A** and the guidance below are for all licence applicants. Additional regime specific guidance is listed in the "Guide for Applicants". The regime specific forms available for use are: **Form B1 Foul only Sewage Discharges**, **Form B2 (General Point Source Discharges, excluding Foul only Sewage Discharges**, Fish Farm discharges and discharges of Sheep Dip to Land), **Form C (Fish Farm discharges)**, **Form D (Abstraction and Impoundment of water)**, **Form E (Engineering Works)**, **Form F (discharges of Sheep Dip to Land)**, **Form K (deep borehole construction)**, **Form L (storage of oil for onward distribution)**, **Form M (herbicide use in or near water)** and **Form N (Construction run off)**

**Making changes to a licence****Variations**

Application **Form G** should be used for any application for an administrative or technical variation to a licence.

**Transfer**

Application **Form H** should be used for any application to transfer a licence in whole or in part to a different Authorised person. No other forms need to be completed.

**Surrender**

Application **Form I** should be used for any application to surrender a licence in whole or in part. No other forms need to be completed.

**Who completes the application?**

If you are making an application on your own behalf and you are the Authorised Person, then you should complete the application form. If the application is being made on behalf of a company, partnership or other organisation which will be the "Authorised Person", then the person who completes the declaration at the end of the form should have the authority to act on behalf of that organisation.

For more guidance on 'Authorised Person' please see the "Guide for Applicants".

**Where to send your application**

See Registry office details at the end of this form.

**What happens when we get your application?**

We will check through the application to make sure that it is complete and that SEPA has all the information it requires.

We may contact you for further information and depending on the type of application this may be via telephone, letter or in some cases a formal notice.

In cases where further relevant information has to be gathered before a decision can be made on an application, there may be an additional charge, to cover the cost of SEPA acquiring the

data but this will always be subject to prior agreement. **Poor quality information may result in your application being delayed.**

**Processing your Application**

SEPA aims to determine all applications within the statutory period of 4 months. This may be extended in particularly complex cases or where the application is deficient in information but this will only be done in consultation with you.

**Disclosure of the information you give us in your application**

There may be other interested parties who have to be consulted about your application. SEPA will require significant activities to be advertised in the press for which the applicant must pay. (See further guide on consultation and advertising).

Please read the data protection notice on the front sheet of this form which explains how we will use information given to us.

SEPA's full service charter may be viewed from the SEPA web site [www.SEPA.org.uk](http://www.SEPA.org.uk)

**SEPA does not control flood risk through CAR. See Flood Risk Standing Advice for information on possible flood risk impacts from engineering, impoundment and discharge activities.**

**SECTION 1: ABOUT THE AUTHORISED PERSON AND OTHER CONTACTS**

**1.1 AUTHORISED PERSON (Individual or Corporate body)**

**1.1.1 Please provide the following details about the authorised person (i.e. the legal entity responsible for securing compliance with the conditions of a licence. See applicant guidance for more information):**

<b>Name:</b>	Elixir Distillers - Sukhinder Singh		<b>Company number</b>	09681748
		<b>If a company, please give registered company number:</b>		
		<b>If individual, please give Date of Birth:</b>		
<b>Status:</b> (Select one of the options from either a) or b) and provide the additional details where relevant)	<b>a) Individual:</b>	<input type="checkbox"/> Land-owner/occupier <input type="checkbox"/> Nominated individual on behalf of a voluntary association <input type="checkbox"/> Sole Trader <input type="checkbox"/> Other, please specify:	<b>If applicable insert name of voluntary association:</b>	
	<b>b) Corporate body:</b>	<input checked="" type="checkbox"/> Limited Company (Ltd or plc) <input type="checkbox"/> Scottish Partnership <input type="checkbox"/> Other Partnership <input type="checkbox"/> Company limited by guarantee <input type="checkbox"/> Other Corporate Body (e.g. 'NHS Trust', 'Local Authority') <input type="checkbox"/> Government Agency (e.g. 'Transport Scotland', 'Forestry and Land Scotland') <input type="checkbox"/> Nominated corporate body on behalf of a voluntary association <input type="checkbox"/> Registered charity including registered number <input type="checkbox"/> Other, please specify (e.g. 'the Crown') <i>Please supply supporting information confirming legal status</i>		
<b>Address:</b> If a company, please give address of registered office.	Distillers Alchemy House 45 Park Royal Road London			
<b>Postcode:</b>	NW10 7LQ	<b>Tel No.</b>	+44 (0)20 8838 0800	
<b>E-mail:</b>	[REDACTED]@elixirdistillers.com			
<b>1.1.2</b>	Is there anything you wish to disclose which might inhibit you from undertaking your duty to ensure compliance with the conditions of any authorisation?		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (please give full information on separate sheet)	
			<b>Document name/Reference</b>	
<b>1.1.3</b>	Is this also the applicant contact, billing address, correspondence address and address for service of notices? If yes to all go to section 2. If no to any, complete relevant parts of question 1.2 and 1.3.		Address for service of notices:	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES
			Applicant Contact:	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES
			Billing address::	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES
			Correspondence address:	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES

**1.2 FURTHER CONTACT ADDRESSES:**

Where the address for service of notices, applicant contact, billing address or correspondence address are different from those given in question 1.1 please complete the relevant sections below.

**1.2.1 ADDRESS FOR SERVICE OF NOTICES:**

You may specify an alternative UK address to those given in 1.1 or 1.2 as the address at which you or someone on your behalf will accept notices from SEPA under:

- regulation 13(2) (notice requiring advertisement of application)
- regulation 15(3) (notification of grant of licence, or refusal)
- regulation 29(1) (notice of suspension or revocation of authorisation) and/or
- regulation 32(2) (enforcement notice).

Please tick the boxes of all types of notice which you wish to be served at this address.

<b>Contact Name:</b>			
<b>Address:</b>			
<b>Postcode:</b>		<b>Tel No.</b>	
<b>E-mail:</b>			

**1.2.2 APPLICANT CONTACT:**

Please nominate someone who we can contact directly with any questions about your application.

<b>Contact Name:</b>			
<b>Address:</b>			
<b>Postcode:</b>		<b>Tel No.</b>	
<b>E-mail:</b>			

**1.2.3 PAYMENT / BILLING ADDRESS:**

This is required if large project and application fee is time & materials basis.  
 This is also required if a licence is issued that is required to pay an annual subsistence charge.  
 Please provide details of the address you wish invoices to be sent to and details of someone we may contact about fees and charges. Please see the SEPA charging scheme for more details.

<b>Contact Name:</b>			
<b>Address:</b>			
<b>Postcode:</b>		<b>Tel No.</b>	
<b>E-Mail:</b>			

**1.2.4 CORRESPONDENCE ADDRESS:**

Enter details here if you wish to provide an alternative correspondence address to that given in 1.1.

<b>Contact Name:</b>			
<b>Address:</b>			
<b>Postcode:</b>		<b>Tel No.</b>	
<b>E-Mail:</b>			

**1.3 PRE-APPLICATION CONTACT**

Name of SEPA staff consulted & date  
 (if you have had pre-application discussions)

**SECTION 2: ABOUT THE AUTHORISED PLACE / SITE**

**2.1 SITE DETAILS**

Please enter the address of the site where the activities to be licensed are located.

Site Name (to be used as a reference to your site)	Portintruan Distillery
Company House SIC Code (if applicable)	
(If a farm) IACS Farm Code	
Address	East of Port Ellen, Port Ellen, Islay
Post code	PA42 7BW
Tel No	+44 (0)20 8838 0800
E-Mail	██████@elixirdistillers.com

**2.2 ACTIVITIES CARRIED OUT AT THE SITE**

Please state the number of each activity you are applying for - this will help you identify the correct form to complete.

Number of each activity in box please

Discharge of foul only sewage	FORM B1	
Discharge to waters or land excluding foul only sewage, fish farm effluent (inc. new outfall design) and disposal of sheep dip or other agrochemicals to land	FORM B2	
Discharge of fish farm effluent (inc. new outfall design)	FORM C	
Abstraction of water (inc. new intake design)	FORM D	1 (one activity with 2 abstractions)
Impoundment of Water	FORM D	
Engineering (excluding new outfalls/intakes)	FORM E	
Agrochemical/sheep dip disposal to land	FORM F	
Deep borehole construction	FORM K	
Storage of oil for onward distribution	FORM L	
Herbicide use in or near water	FORM M	
Construction run off	FORM N	

**2.3 SITE LOCATION NATIONAL GRID REFERENCE**

Please enter the Ordnance Survey national grid reference (10 characters e.g. NS 1234 5678). If the location extends beyond a single point please give the grid reference of the front gate or entrance.

N	R	3	8	2	3	3	4	5	9	0	0
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**2.4 SITE PLAN**

PLEASE INCLUDE A PLAN SHOWING THE LOCATION OF THE SITE AND ALL ACTIVITIES APPLIED FOR.

The plan should preferably be a licensed extract from OS map, or properly drawn scheme, clearly labelled and legible.

Document name/reference:	Figure 1 - Site Map
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**2.5 CURRENT SEPA AUTHORISATIONS ASSOCIATED WITH THE SITE**

Include CAR authorisations. If applicable please detail any existing consents, permits or licences issued by SEPA or its predecessor bodies in relation to this site (e.g. COPA consent, PPC permit, Waste Management Licence, Groundwater Authorisation etc). Continue on separate sheet if necessary.

Reference Number:	CAR/R/5004458
Reference Number:	
Document name/reference:	

**2.6 PLANNING DOCUMENTS RELEVANT TO SITE/SCHEME OF ACTIVITIES**

2.6.1 PLANNING PERMISSION REF NO. for Site activities or associated scheme of activities	19/02555/pp with EIAR
2.6.2 BUILDING WARRANT REF NO. for Site activities or associated scheme of activities	

**2.7 PROPOSED START DATE OF ACTIVITIES**

3rd Quarter 2024
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**2.8 EMERGENCY WORKS (Do not complete for discharges)**

Is this application for Emergency works under Reg 18? (see SEPA's guidance document <u>WAT-RM-49</u> )	NO YES
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If yes, please provide relevant details as to why works are considered to be emergency works	Document name/Reference
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## 2.9 PROTECTED AREA / SPECIES (Do not complete for discharges)

Is the site either within a Protected Area i.e. <ul style="list-style-type: none"> <li>• Site of Special Scientific Interest (SSSI)</li> <li>• Special Area of Conservation (SAC)</li> <li>• Special Protection Area (SPA)</li> <li>• RAMSAR</li> <li>• Marine Protected Area (MPA)</li> </ul> or within the screening distances as detailed in Annex 6 of SEPA'S guidance document, <u>WAT-SG-907</u> Tick the relevant layers on NatureScot's <u>website</u> for location & details of Protected Areas	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  (if yes you are required to provide sufficient information as outlined below for SEPA to assess the likely impact on the site)
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Have you contacted NatureScot regarding your application?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
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If yes, please provide any relevant correspondence or consents related to the activity	Document name/Reference	N/A
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Relevant ecological surveys You must provide any relevant surveys conducted to establish the presence of any designated species/habitat within the location of the activity.	Document name/Reference	N/A
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Please provide details of any measures to be implemented to ensure no impact upon Protected area(s)	Document name/Reference	N/A
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## 2.10 NON-TECHNICAL SUMMARY

Please provide a non-technical summary of the information provided in your application (see 'Licence Applicant Guidance' for further information on what should be included). If necessary, please continue on a separate sheet)

- **A description of the controlled activity;**  
2 boreholes (BH5 & BH7) drilled approximately 50m apart to be used to supply process water for a new whisky distillery site that is currently under development. BH5 is 45m deep while BH7 is 63m deep; drilled and tested in 2023 under CAR registration 'CAR/R/5004458'  
Two boreholes to be under one CAR abstraction licence application.  
Total cumulative abstraction from both boreholes combined to be maximum 200m<sup>3</sup> per day ('simple licence')  
Anticipated that boreholes would be pumped in a duty/duty arrangement.
- **A description of the measures envisaged in order to mitigate and, if possible, remedy significant adverse effects on the water environment;**  
A water features survey was conducted (HW WFS – Portintruan). Two potential receptors were identified in the WFS: a Private Water Supply (at Laphroaig View Guest House B&B) and a nearby Stream (Sruthan na Cille). The PWS owner did not grant access to monitor their borehole during the test pumping phase, a monitoring borehole (BH6) was drilled between the test boreholes and the PWS to be used as a proxy to monitor water levels during the testing phase. There was a stage board installed in the Stream downstream of the abstraction. No change in water level in either BH6 or the Stream caused by the pumping tests has been detected, as described in attached report (Ref: HW004 Portintruan BH5 & 7 Pumping Test Report).
- **Any data provided to SEPA in order to identify and assess the main effects which the controlled activity is likely to have on the water environment;**  
The aforementioned water features survey (HW WFS – Portintruan) along with pumping test report (Ref: HW004 Portintruan BH5 & 7 Pumping Test Report).
- **An outline of the main alternatives studied by you and an indication of the main reasons for the choice made, taking into account the environmental effects;**  
Mains water connection would be expensive to install and have supply consistency risks associated with this. Off take from local surface water sources was considered however supplies were not adequate.  
Groundwater (borehole) supply was the only other feasible source of water for the site, therefore this choice was pursued.

**SECTION 3: COMMERCIAL CONFIDENTIALITY, NATIONAL SECURITY & SENSITIVE INFORMATION**

**3.1 COMMERCIAL CONFIDENTIALITY**

Is there any information that you wish to justify being kept from the public register on the grounds of commercial confidentiality?  NO  YES If yes please give full information and identify relevant documents/parts of documents. NB There is an additional application fee for a commercial confidentiality request. Please refer to Clause 12 of the 'Charging Scheme' for the correct fee.

Reference number for the documents:

**3.2 NATIONAL SECURITY**

If there is any information in the application that you believe should be kept from the public register on the grounds of national security please:

- Provide full information on separate sheet.
- Provide a copy of the application form to the Scottish Ministers for a Direction (as appropriate) on the issue of national security.

DO NOT WRITE ANYTHING ABOUT NATIONAL SECURITY ON THIS FORM, NOR GIVE REFERENCE NUMBERS TO THE RELEVANT INFORMATION/DOCUMENTS SUBMITTED. SEE APPLICANT GUIDANCE FOR FURTHER INFORMATION.

**3.3 OTHER SENSITIVE INFORMATION**

Is there any other information in the application that you believe should be kept from the public register due to its sensitivity?  NO  YES If yes please give full information and justification on separate sheet

Reference number for the documents:

**SECTION 4: DECLARATION**

A representative for The Authorised Person should be identified on this form below.

It is an offence under Regulation 44 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 to:

- Make a statement which you know to be false or misleading in a material particular,
- Recklessly make a statement which is false or misleading in a material particular, for the purposes of obtaining an authorisation (for yourself or anyone else).

If you make a false statement:

- We may prepare a report to the Procurator Fiscal who may prosecute you, and
- If you are convicted, you are liable to a fine or imprisonment, or both.

**Declaration**  
 I certify that the information in this application is correct.  
 I apply for an authorisation in respect of the particulars described in this application (including any supporting documentation that I/we have supplied)  
 I specify the address given at 1.2.1 above as the address at which I/we will accept service of notices of the types selected there.

Please note that a representative for the Authorised Person should complete the declaration themselves, even if an agent is acting on their behalf as an applicant contact. For applications from a company or other corporate body the individual completing the declaration should be duly authorised to act on behalf of the company or corporate body. Applications from a Scottish partnership must be completed by a partner of that partnership or a person authorised by the partnership to act on its behalf.

<b>Name:</b>			
<b>Position/job title:</b>	Director	<b>Date:</b>	20.02.24

Please be aware that in addition to ensuring you have the appropriate authorisation from SEPA under CAR, a number of separate requirements may apply under other legislation. In some cases, you may need to obtain consent for your activities from other bodies to meet these requirements. (e.g planning permission, species licences, other SEPA authorisations)

**SECTION 5: FEES AND CHARGES**

The application is not valid unless the application fee is correct. See "Charging Scheme" guidance for further details ([www.sepa.org.uk](http://www.sepa.org.uk)). Any licence issued may also have an annual subsistence charge and you will be invoiced for this accordingly.

Please use the fee calculator (excel spreadsheet) available on our website to calculate the correct fee for all licence activities applied for (available at [www.sepa.org.uk](http://www.sepa.org.uk)) and PRINT OFF AND ATTACH YOUR FEE CALCULATION TO YOUR APPLICATION

If you are unable to use the fee calculator please use the table below to summarise the fees applicable for the regimes listed

Please calculate your application fee for each of the regimes below, and any Registration level activities you may be applying for. Then give the total fee enclosed for the whole licence application.

Total application fee of		£ 2607.00
Activity Summary		Fee Enclosed
*If you are	Large Project (time and materials charge)	No upfront fee is applicable for this type of application
	All Point Source Discharges	£
	All Abstractions	£ 2607.00 Total 1 x activity code 10790 at: £2607
	All Impoundments	£
	All Engineering	£
	Appended Registration* level activities	£
	Total Activity application fee	£ 2607.00 (sub total)
	Request for Commercial Confidentiality (if applicable)	£

enclosing Registration forms for certain activities as part of your licence, please state the total fee for all Registrations appended.

**5.3 Payment Methods**

<b>BACS</b> <input checked="" type="checkbox"/>	Sort Code	83-34-00	
Proof of payment must be submitted	A/C number	00137187	
	Proof of payment submitted	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Payment Reference	Attached PDF ref: (SEPA Payment Receipt - Portintruan)	
<b>Online Card Payment</b> <input type="checkbox"/>	Proof of payment submitted	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Payment is accepted online at <a href="https://webpayments.sepa.org.uk/">https://webpayments.sepa.org.uk/</a>	Payment reference		
Proof of payment must be submitted			
<b>Cheque</b> <input type="checkbox"/>	Made payable to 'SEPA' and submitted with your application		

**SECTION 6 APPLICATION CHECKLIST**

Once you have completed all parts of your application, including the relevant regime specific form(s), please use this checklist to indicate the items you have completed and are sending us as part of this application:

- 1 COPY OF WHOLE APPLICATION (EITHER ELECTRONIC OR PAPER COPY)
- SITE MAP SHOWING LOCATION AND DETAILS OF ACTIVITIES
- OTHER MAPS AND PLANS AS NECESSARY
- ALL OTHER REGIME SPECIFIC FORMS AS NECESSARY
- PAYMENT MADE USING A SUITABLE PAYMENT METHOD
- REMITTANCE ADVICE/PROOF OF PAYMENT/SEPA RECEIPT NUMBER (if applicable) INCLUDED WITH YOUR APPLICATION AND CHARGE CALCULATOR PRINT OUT/ BREAKDOWN OF ACTIVITY CHARGES
- COMPLETED DECLARATION
- ASSOCIATED DOCUMENTS FOR ANSWERS TO QUESTIONS
- CONTINUATION SHEETS FOR ANSWERS TO QUESTIONS

SEPA OFFICE



Please submit your completed application to SEPA Registry by:

Email, to: [registry@sepa.org.uk](mailto:registry@sepa.org.uk)

or

Post, to:

SEPA Registry  
Angus Smith Building  
6 Parklands Avenue  
Holytown  
North Lanarkshire  
ML1 4WQ

For any queries please contact [waterpermitting@sepa.org.uk](mailto:waterpermitting@sepa.org.uk)

**OFFICE USE**

SEPA USE	Date Rcvd.	Fee Received	Amount	Name Assigned to Activity	Application Reference	
		<input type="checkbox"/> NO <input type="checkbox"/> YES				