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Serial No. 2/27/5/152.

YORKSHIRE OUSE AND HULL RIVER AUTHORITY

Water Resources Act 1963 - Water Resources (Licences) Regulations
1965.

LICENCE FOR IMPOUNDING AN INLAND WATER

THE YORKSHIRE OUSE AND HULL RIVER AUTHORITY (hereinafter referred to as "the River Authority") hereby grant a licence to-

*as from 1/4/74
Water Act 1973*

~~THE MID CALDER WATER BOARD,~~
YORKSHIRE WATER AUTHORITY - SW. DIVISION
Town Hall,
DEWSBURY

Application No. 5089.

of

TO OBSTRUCT OR IMPEDE THE FLOW OF Harden Dike (River Don)

AT NATIONAL GRID REFERENCE SE 155 025

BY MEANS OF a dam with spillway crest level of 343.82m (1128ft) A.O.D. to form the Winscar reservoir.

AND SUBJECT TO THE SPECIAL CONDITIONS ANNEXED HERETO.

This licence shall remain in force until revoked.

THE FEE PAYABLE BY THE LICENCE HOLDER UNDER SECTION 57(3) OF THE ACT ON THE GRANT OF THIS LICENCE IS £5.

Dated this 24th day of February, 1971.

Clerk of the Authority.

21, Park Square South,
Leeds 1.

*See reviewed copy
of the licence
above*

YORKSHIRE OUSE AND HULL RIVER AUTHORITY

WATER RESOURCES ACT 1963

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SPECIAL CONDITIONS

Licence Serial No. 2/27/5/152.

1. A gauging weir shall be constructed by the licence holder on the River Don at National Grid Reference SE. 163024 in advance of the construction of Winscar Dam and shall be equipped with apparatus to measure and record the flow of water passing over it and such apparatus shall be maintained by the licence holder in good order and caused to operate from the time of commencement of construction of the Winscar Dam.
2. From the time of commencing to impound water in the new Winscar reservoir, compensation water shall be discharged from the Winscar reservoir and/or Lower Windleden reservoir in such quantity that the flow of water passing over the gauging weir shall not at any time during the months of November to April inclusive fall below 105 litres per second (2 million gallons per day) nor at any time during the months of May to October inclusive fall below 137 litres per second (2.6 million gallons per day).
3. Condition No.2. shall be reviewed not later than 1st March, 1979.

1. Reasons for Conditions

Reasons for the imposition of conditions and for any material departure from the proposals in the application are set forth at the foot hereof.

2. Right of Appeal

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If the applicant is dissatisfied with the decision of the River Authority on his application, he may, by notice served within one month from the date of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 39 of the Water Resources Act 1963 and the Water Resources (Licences) Regulations 1965 (S.I. 1965 No. 534). The Minister has power to allow a longer period for the giving of a notice of appeal.

3. Offences

It is an offence under the Act (Sections 36(1) and 49) for a person after the 30th June, 1965, to begin, or cause or permit any other person to begin, to construct or alter any impounding works* at any point in an inland water in a river authority area (not being an inland water falling within Section 2(3) of the Act) unless-

- (1) a licence under the Act granted by the river authority to obstruct or impede the flow of that inland water at that point by means of impounding works* is in force, and
- (2) the impounding works* will not obstruct or impede the flow of the inland water except to the extent, and in the manner, authorised by the licence, and
- (3) any other requirements of the licence, whether as to the provision of compensation water or otherwise, are complied with.

The penalty on conviction of an offence is a fine (not exceeding, on summary conviction, £100).

* This expression means either of the following, that is to say-

- (a) any dam, weir or other works in an inland water whereby water may be impounded, and
- (b) any works for diverting the flow of an inland water in connection with the construction or alteration of any dam, weir or other works falling within (a).

4. IMPORTANT NOTICE TO A SUCCESSOR TO THIS LICENCE

If you have become the holder of this licence, in accordance with Section 32(1), or regulations made under Section 32(3), of the Water Resources Act 1963, by succeeding to the previous licence holder's occupation of land specified in the licence as land on which water abstracted in pursuance of the licence is to be used, you should note that, by virtue of Section 32(2) of the above Act (or corresponding provisions in the regulations under Section 32(3)), you will cease to be the holder of the licence at the end of a period of one month from the date on which you became the occupier of the land in question unless before the end of that period you have given the River Authority notice of the change in the occupation of the land.

REASONS FOR CONDITIONS OF THIS LICENCE AND FOR ANY MATERIAL DEPARTURE FROM THE PROPOSALS IN THE APPLICATION