

Drought Permit No.

DP2025-NE0270012057

Withens Clough

Please quote the reference number in all correspondence



Drought Permit

- Section 79A Water Resources Act 1991 as amended by the Environment Act 1995

The Environment Agency ("the Agency") grants this drought permit to:

Yorkshire Water Services Limited ("the Water Company")
Western House
Halifax Road
Bradford
West Yorkshire
BD6 2SZ

Company registration number 02366682

The Water Company is authorised by the Morley Corporation Act 1890 ("the Act") to impound water and is required to operate in accordance with the provisions of that Act and the Agency's enforcement letter dated 16 June 2014 ("the Letter"). This drought permit suspends and/or modifies the provisions of the Act and the Letter to the extent set out in the Schedule of Conditions.

This drought permit commences from the effective date shown below and shall remain in force until the date of expiry shown below.

All other provisions of the Act remain in full force and effect.

Signed Mike Dugher

Date of issue – 03 October 2025

Area Director - Yorkshire

Date effective – 03 October 2025

Environment Agency
Lateral House
8 City Walk
Leeds
LS11 9AT

Date of expiry – 03 April 2026

Note: References to "the Agency" are to the Environment Agency or any successor body.

SCHEDULE OF CONDITIONS

1. COMPENSATION FLOW

1.1 Subject to conditions 3.1.3 and 3.3 of this drought permit, Section 23 (1) of the Act, and the Letter is substituted with the following:

- (i) Subject to condition 1.1(ii) of this drought permit applies, the Water Company shall make a uniform and continuous release of compensation flow of not less than 1,320 cubic metres per day from Withens Clough Reservoir to Turvin Clough at National Grid Reference SD 98561 23168 or such other location as specified in writing by the Agency).
- (ii) If the group reservoir stocks are below the South West Reservoir Group Drought Control Line defined in the Water Company's Drought Plan 2022 dated 29 April 2022 ('the 2022 Drought Plan') for a period of four consecutive weeks or longer, then the Water Company shall make a uniform and continuous release of compensation flow of not less than 870 cubic metres per day from Withens Clough Reservoir to the Turvin Clough at National Grid Reference SD 98561 23168 (or such other location as specified in writing by the Agency) until group reservoir stocks have increased to and remained at or above the South West Reservoir Group Drought Control Line for a period of six consecutive weeks or longer, upon which the Water Company shall return to the compensation flow specified in condition 1.1(i).

The 'South West Reservoir Group Drought Control Line' is shown in Figure 2.1 in Section 2.1 of the 2022 Drought Plan marked 'DCL' in the graph for the South West Reservoir Group (with the left-hand vertical axis representing in percentage terms the reservoir stocks).

2. ENVIRONMENTAL MONITORING

2.1 The Water Company shall undertake the monitoring as set out in Appendix 1 attached to this permit.

3. MITIGATION CONDITIONS

3.1.1 If the monitoring identifies signs of environmental impacts, including but not limited to fish in distress, a pollution incident, water quality deterioration, algae blooms or spread of invasive non-native species, the following actions shall be undertaken by the Water Company:

3.1.2 (i) upon finding any signs of environmental impacts the Water Company shall notify the Agency in writing and by telephone on 0800 80 70 60 and shall provide details of the signs of impacts and the location;

(ii) a remedial course of action to address the signs of environmental impacts shall be formulated by the Water Company (and amended by the Agency as necessary), and implemented as directed in writing by the Agency.

3.1.3 If, upon being notified of any signs of environmental impacts in accordance with condition 3.1.2(i), the Agency gives written notice that there is a disruption to

the ecology, the Water Company shall increase compensation flow from Withens Clough Reservoir to Turvin Clough at National Grid Reference SD 98561 23168 to a rate of not less than 2,637 cubic metres per day, or a lesser quantity if agreed in writing by the Agency.

The Water Company shall increase the stated compensation flow as soon as possible and within 48 hours of receipt of written notification from the Agency.

The Water Company shall not thereafter reduce the compensation flow to that specified in condition 1.1 of this drought permit until the Water Company has confirmed in writing that appropriate remedial action has been taken, and the Agency has confirmed in writing that it is satisfied with this.

- 3.2 The changes to the compensation flow specified in condition 1.1, 3.1.3 and 3.3 of this drought permit shall be made in a steady and controlled manner at a rate so as not to cause any flooding of land or disturbance to water users downstream or any adverse effects on the quality of water in the inland water or any adverse impacts on the ecology of the inland water or dependent ecosystems.

3.3 **Temporary Flow Adjustments**

Upon being notified by the Agency, or upon discovering through environmental monitoring, or other evidence that an increase in compensation flow is needed to support riverine ecology, as identified in the Water Company Environmental Monitoring Plan South West Area Appendix A.3 the Water Company shall increase flow at a time, to a rate and for a duration, as specified in writing by the Agency, at National Grid Reference SD 98561 23168, or other location as specified in writing by the Agency.

3.4 **Combined Sewer Overflows (CSOs) and Wastewater Treatment Works (WwTWs)**

The additional monitoring and maintenance activities specified in the (2025) Combined Sewer Overflows Optimisation and Maintenance for Drought Plan and/or the (2025) Wastewater Treatment Works Optimisation and Maintenance for Drought Plan shall be applied by the Water Company to the following assets, in accordance with Appendix A of the same plan:

- (i) BACK WHARF STREET CSO discharging at National Grid Reference SE 06225 23620
 ROCHDALE CANAL CSO discharging at National Grid Reference SE 06405 23627
 WHARFE HOUSE CSO discharging at National Grid Reference SE 06463 23638
 SOWERBY BRIDGE CSO discharging at National Grid Reference SE 07240 23635
 COPLEY VILLAGE NO 2 SPS discharging at National Grid Reference SE 08466 555676
 HALIFAX COPLEY STW discharging at National Grid Reference SE 09220 22290
- (ii) Any CSO or WwTW not identified in Appendix A but subsequently deemed by the Water Company or the Agency to risk adverse impact to a watercourse while compensation flows are reduced.

4. FURTHER CONDITIONS

- 4.1 Unless the Agency otherwise specifies in writing, this drought permit shall have no effect unless the Water Company has imposed Temporary Use Ban restrictions from the 2022 Drought Plan for the Grid Resource Zone, and such restrictions remain in force.

APPENDIX 1

ENVIRONMENTAL MONITORING SCHEDULE: STANDARD SCHEDULE

Assessment Type	Surveillance walkover surveys of habitat quality and ecological stress, recording signs of environmental impacts. The Water Company shall not make any changes to this monitoring schedule without the Agency's prior written agreement.
Duration of Monitoring	The environmental monitoring surveys shall take place from the first day that the total compensation flow from Withens Clough Reservoir to Turvin Clough is reduced under this drought permit until this drought permit expires or is revoked, unless otherwise agreed by the Environment Agency.
Environmental Impact	The following are suggested signs of environmental impacts but are not exhaustive. If advice is required then the Agency can be contacted on 0800 80 70 60. • Fish in distress, for example gasping at the surface or leaping out of the water. • Dead fish. • Concentration of fish in restricted areas/pools which could increase susceptibility to predation. • Inhibition of movement of fish past river structures or other barriers. • Reduced habitat availability for adult and juvenile life stages (including spawning/nursery areas). • Reduced depth of flow over brown trout redds. • Signs of polluting discharges during walkover surveys, impacts exacerbated during lower flows and/or reduced dilution. • Algal blooms. • Establishment and/or expansion of invasive non-native species.
Monitoring Method & Standard of Assessment	The Water Company shall measure and record the following information in priority areas such as pools and weirs where aquatic species may become isolated during low flows. For all environmental impacts identified: • The location of the site of environmental impacts observed. • A photo or photos should be taken of any signs of environmental impacts. • Weather conditions at the time of the observations. • Dissolved oxygen concentration measurements shall be taken and recorded anywhere in the survey area where signs of environmental stress are identified • Ammonium concentration measurements shall be taken and recorded anywhere in the survey area where signs of environmental stress are identified. Where relevant to the environmental impact observed: • Approximate number of dead fish. • Any signs of damage or disease. • Approximate number of fish in distress, gasping at the surface or leaping out of the water. • Whether the fish are being stranded in shallow pools. • Depth of water over brown trout redds • Description of structures and stretches of any watercourses that have no flow or significantly reduced flow. • Approximate size of the fish affected. • The species affected. • Signs of pollution.

	• Presence of algal blooms/scums. • Species, location and extent of invasive non-native species.
Frequency of monitoring	On the day of any reductions in compensation flow implemented under conditions 1.1 or 3.1.3, the day after and then weekly thereafter until no further flow changes are made. If no signs of environmental impacts are noted from two consecutive walkover surveys no further walkover surveys are necessary until there are further flow changes.
Location of Monitoring	• Cragg Brook T1 500m located within National Grid References SD 9957 2319 to SD 9999 2321 • Cragg Brook 1 500m located within National Grid Reference SD 99992321 to SE 0026 2353 • Calder 3: 500m located within SE 0693 2371 to SE 0722 2365
Survey Results	At the same time each week for the duration of the drought permit, the Water Company shall provide to the Environment Agency in the form of a calendar week report, the following details: • Monitoring data as required from Condition 2.1, The report shall be sent to drought.yorkshire@environment-agency.gov.uk Note: a calendar week is a period of 7 consecutive days beginning on a Monday.
Responsibility	Unless otherwise discussed and agreed in writing, the Water Company will be responsible for all the costs associated with this monitoring programme. Health and safety requirements whilst carrying out the surveys are the responsibility of the Water Company.

ADDITIONAL INFORMATION

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

REASONS FOR MODIFICATIONS

Mitigation

Condition 3 of this drought permit has been included to mitigate against any environmental problems that may be caused by or affected by the Water Company reducing compensation flows.

The Agency will take into consideration any other actions the Water Company are taking or plan to take in order to mitigate effects on the environment, such as mitigation actions identified in their 'Drought Plan: Environmental Assessment Report – South West Area Reservoirs Upper Calder', July 2025.

Temporary Flow Adjustments

Condition 3.3 allows for compensation flows to be temporarily increased from the quantities specified under Condition 1.1 through the range of flows up to the compensation flows required under Paragraph 23 (1) of the 1890 Morley Corporation Act. The 'In Drought Mitigation Options' of Yorkshire Water's Environmental Monitoring Plan identifies these alterations in flows in the context of this drought permit as;

IDMIT_E1 Gradual or temporary adjustments to abstraction or compensation flows to prevent stranding, displacement, or stress in sensitive aquatic species (e.g. fish, macroinvertebrates, white-clawed crayfish)

Combined Sewer Overflows (CSO's) and Wastewater Treatment Works (WwTWs)

Condition 3.4 (i) identifies the CSO assets where the risk of adverse impact has been established. The implementation of the measures detailed in this plan are referred to as **IDMON_WSWQ2** CSO Monitoring in the South West Reservoirs: Upper Calder Environmental Impact Assessment dated July 2025.

The reach of watercourse identified as at risk of adverse impact through the CSO's detailed in Condition 3.4 (i) are defined in the South West Reservoirs: Upper Calder Environmental Impact Assessment dated July 2025 which, in the context of this licence is:

- Calder 3

The Water Company or the Agency may deem it necessary to implement the monitoring and maintenance measures on CSO assets that are not listed in the above mentioned plan. Condition 3.4 (ii) provides for this possibility.

Monitoring Locations

The Monitoring Locations referred to in Appendix 1 are the downstream reach or reaches where monitoring is required, in accordance with Water Company Environmental Monitoring Plan South West Upper Calder Area dated July 2025, respectively termed **IDMON_WSE** Surveillance walkover surveys of habitat quality and ecological stress, recording signs of environmental problems.

IMPORTANT NOTES**Definition of a Day**

A day means any period of 24 consecutive hours reckoned from 9.00am.

Temporary Use ban

You must follow your 2022 drought plan and implement a Temporary Use Ban (under sections 76 and 76A – C of the Water Industries Act 1991) before using the powers granted by this permit, unless the Agency agrees that such ban is not necessary due to the circumstances at the time.

Environmental Monitoring Plan

The conditions and monitoring incorporated on this permit is in addition to the Environmental Monitoring Plan agreed between the Agency and the Water Company.

Contact Details

For the purpose of condition 3.1.2 the Water Company shall notify the Agency via email to: drought.yorkshire@environment-agency.gov.uk and by telephone on 0800 80 70 60 and make reference to that fact that this is in regard to the 'Withens Clough Drought Permit.'

For the purpose of Condition 3.3, the Water Company shall, prior to making any increase in compensation flows, first seek agreement of the Agency via email to: drought.yorkshire@environment-agency.gov.uk and by telephone on 0800 80 70 60 and make reference to that fact that this is in regard to the 'Withens Clough Drought Permit.'