

Application No:	1864 & 1865	Licence Serial No:	2/27/28/017
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Please quote this number in all correspondence about this licence



**ENVIRONMENT  
AGENCY**

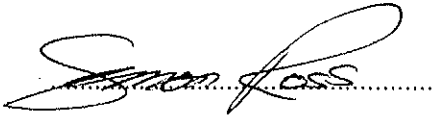
## FULL LICENCE TO ABSTRACT WATER

The Environment Agency ("the Agency") grants this licence to: -

**YORKSHIRE WATER SERVICES LIMITED** ("the licence holder")

Western House  
Halifax Road  
Bradford  
BD6 2SZ

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 becomes effective on the relevant date shown below and shall remain in force until the date of expiry shown below.

<b>Signed</b>		<b>Date of Issue</b>	<b>16 SEP 2009</b>
S D Ross Water Resources Planning Manager		<b>Date Effective</b>	31 October 2008
		<b>Date of Expiry</b>	Not applicable
Environment Agency Coverdale House Aviator Court Clifton Moor York YO30 4GZ		<b>Date of Original Issue</b>	14 December 1965

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 is attached to this licence.  
References to "the Agency" are to the Environment Agency or any successor body.

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**SCHEDULE OF CONDITIONS**

- 1. **SOURCE OF SUPPLY**  
Inland waters known as the River Derwent at Elvington
- 2. **POINT OF ABSTRACTION**  
At National Grid Reference SE 705 486 marked "A" on the map.
- 3. **MEANS OF ABSTRACTION**  
River intakes with pumps.
- 4. **PURPOSES OF ABSTRACTION**  
Public Water Supply
- 5. **PERIOD OF ABSTRACTION**  
All Year.
- 6. **MAXIMUM QUANTITY OF WATER TO BE ABSTRACTED DURING THE SPECIFIED PERIOD**

205,000 cubic metres	per day
75,000,000 cubic metres	per year
In aggregate with licence 2/27/28/083 (Loftsome Bridge) so that no more than the following volumes are abstracted:	
*305,000 cubic metres	per day
94,841,000 cubic metres	per year

\* Subject to condition 9.3 of this licence

Note: an hour means any consecutive 60 minute period, a day means any consecutive 24 hour period and a year means the 12 month period beginning on 1 April and ending on 31 March.

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**7. MEANS OF MEASUREMENT OF WATER ABSTRACTED**

The licence holder shall use meters to measure quantities of water abstracted. The licence holder shall provide and install the meters before any abstraction takes place.

The licence holder shall position and install the meters in accordance with any written directions given by the Agency. The licence holder shall maintain the meters in a condition so as to measure quantities of water abstracted accurately, shall calibrate the meters regularly, in accordance with the recommendations of the manufacturer or at any time when required by the Agency, and shall replace the meters as necessary. The licence holder shall retain evidence of current certification for inspection by the Agency.

**8. RECORDS**

The licence holder shall take and record readings of the meters specified in condition 7 at the same time each day during the whole of the period during which abstraction is authorised or as otherwise approved in writing by the Agency.

Each record shall be kept and be made available during all reasonable hours for inspection by the Agency for a period of not less than 7 years.

A copy of the records or summary data from it shall be sent to the Agency within 14 days of being so directed in writing by the Agency.

**9. FURTHER PROVISIONS**

9.1 Before 31 March 2015, the licence holder shall install to the satisfaction of the Agency a Fish Return System on the intake from SE 705 486.

For the purposes of this licence, a Fish Return System consists of water-containing scoops, buckets or sloping ledges of at least 6 cm width at the bottom of each mobile screen panel on the intake, and a mechanism to wash fish into open troughs which lead to a pipeline to return fish to the river.

9.2 The licence holder shall operate and maintain the Fish Return System to the satisfaction of the Agency and keep records of any maintenance carried out for 7 years from the time the records are made.

9.3 The abstraction on any day from the River Derwent at Elvington under this licence and at Loftsme Bridge under licence serial no. 2/27/28/083 shall not exceed the previous day's flow in the River Derwent as measured by the Agency's gauge at Buttercrambe at NGR SE 731 587.

**REASONS FOR CONDITIONS**

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

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Condition 9.1 and 9.2 are imposed for the protection of small fish.

Condition 9.3 is imposed for the protection of environmental, recreation and amenity aspects of relative watercourses and to prevent the derogation of existing protected rights.

## NOTES

The Agency will have regard to its *Abstraction Metering Good Practice Manual* (or equivalent guidance) in directing where the meters should be located or how they should be installed, in determining whether the meters measure accurately and/or are properly maintained and/or in judging whether it is necessary to require repair or replacement of the meters.

The Agency will have regard to its *Screening for Intakes and Outfalls – a Best Practice Guide* (or equivalent guidance), with particular regard to protection of river and sea lamprey transformers, in agreeing where, how and what type of fish return system should be installed and in determining whether the fish return system is properly effective and maintained, and in judging whether it is necessary to require repair or replacement of the fish return system.

## ADDITIONAL INFORMATION

This licence was originally granted on 14 December 1965 to Sheffield Corporation. The following changes to the licence have taken place:

<b>Effective Date</b>	<b>Summary of Change</b>
1 April 1974	Yorkshire Water Authority became the holder of the licence by virtue of section 254 of the Local Government Act 1972 and section 34 of the Water Act 1973.
31 July 1980	Variation granted to increase the rates of abstraction to become operative on completion of the construction of the Barmby Tidal Barrage.
1 September 1989	Yorkshire Water Services Ltd became the holder of the licence by virtue of part IV of the Water Act 1989.
Current Issue	Licence amended to include the provision of a fish return system in accordance with the Agency's Review of Consents arising from the Habitats Directive and reduction in quantity by removal of purpose B – for filtration and treatment.

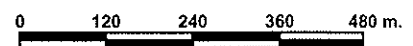
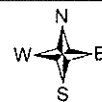


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**Legend**

Scale 1:10,000

O.S. Map SE 74



# 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 us at your local Environment Agency office.**

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.

If you are in Wales, you should write to The National Assembly for Wales care of The Planning Inspectorate at: Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.

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.