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Drought Permit – modify existing abstraction

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

Registered Company Number: 02366682

This drought permit authorises the Water Company to abstract water pursuant to Licence No. NE 027/0014/010 (“the Licence”) but with provisions of that Licence is suspended and/or modified as set out in the Schedule to this drought permit.

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 Licence remain in full force and effect.

Signed Victoria Slingsby Yorkshire Area Drought Manager On behalf of Mike Dugher Yorkshire Area Director	Date of issue24 October 2022
	Date effective 24 October 2022
	Date of expiry31 March 2023

Environment Agency
Lateral House
8 City Walk
Leeds
LS11 9AT

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SCHEDULE OF CONDITIONS

1. COMPENSATION FLOW

1.1 Condition 4.1 of the Licence is substituted with the following:

Subject to conditions 1.2, 1.3, 2.2.2 and 2.4, the Water Company shall release water from Leeming Reservoir created by the works so as to maintain a flow of no less than 2 megalitres per day in Leeming Water immediately downstream of the works. This flow shall be known as the 'Option 1 Compensation Flow'.

1.2 Condition 4.2 of the Licence is substituted with the following:

Subject to condition 1.3, 2.2.2 and 2.4, if the Option 1 Compensation flow under conditions 1.1 and 1.2 of Leeshaw Drought Permit number DP2022-NE0270014011 dated 24/10/2022 decreases from no less than 2 megalitres per day to no less than 1.38 megalitres per day, the release from Leeming Reservoir shall increase to no less than 2.63 megalitres per day.

1.3 Condition 4.3 of the Licence is substituted with the following:

At all times when the Water Company maintains the gauge in condition 4.4 of Licence NE/027/0014/010 in Leeming Reservoir for measuring the distance between the level of water therein and the top water level of 254.96 metres above Ordnance Datum (Newlyn):

If the Option 1 Compensation flow under conditions 1.1 and 1.2 of the Leeshaw Drought Permit number DP2022-NE0270014011 dated 24/10/2022 decreases from no less than 2 megalitres per day to no less than 1.38 megalitres per day.

AND

the said distance as gauged on any Monday equals or exceeds the value shown in column 2 of the table below, as relates to the number of that Monday in column 1, the quantity of water that the Water Company shall release from Leeming Reservoir to Leeming Water on each subsequent day shall reduce from no less than 2 megalitres per day to no less than 1.63 megalitres per day, until the said distance on any subsequent Monday is equal to or less than the value in column 3 of the table below as relates to the number of that Monday in column 1, whereupon condition 1.1 shall apply. The first Monday in each calendar year is numbered 1 and each subsequent Monday is numbered consecutively thereafter.

Column 1	Column 2	Column 3	Column 1	Column 2	Column 3
1	5.02	4.56	28	2.88	2.52
2	4.66	4.22	29	3.11	2.74
3	4.32	3.89	30	3.35	2.96
4	3.99	3.58	31	3.59	3.19
5	3.67	3.27	32	3.83	3.43
6	3.25	2.87	33	4.09	3.67
7	2.78	2.42	34	4.35	3.92
8	2.33	1.99	35	4.61	4.17
9	1.90	1.57	36	4.90	4.44
10	1.61	1.28	37	5.21	4.74
11	1.41	1.09	38	5.53	5.04
12	1.21	0.90	39	5.87	5.36
13	1.02	0.71	40	6.21	5.69
14	0.86	0.55	41	6.21	5.69
15	0.91	0.60	42	6.21	5.69
16	0.96	0.65	43	6.21	5.69
17	1.02	0.70	44	6.21	5.69
18	1.07	0.75	45	6.14	5.62
19	1.22	0.91	46	6.02	5.50
20	1.40	1.08	47	5.89	5.39
21	1.57	1.25	48	5.77	5.27
22	1.75	1.42	49	5.64	5.15
23	1.93	1.60	50	5.49	5.00
24	2.11	1.77	51	5.34	4.86
25	2.29	1.94	52	5.19	4.72
26	2.47	2.12	53	5.02	4.56
27	2.66	2.30			

- 1.4 Subject to conditions 1.5, 1.6, 2.2.2 and 2.4, if the regional reservoir stocks are below the Regional Drought Control Line as defined in section 2.1 of the Yorkshire Water Services 2022 Drought Plan for a period of more than four consecutive weeks then the Water Company shall release water from Leeming Reservoir created by the works so as to maintain a flow of no less than 1.33 megalitres per day in Leeming Water immediately downstream of the works. This flow shall be known as the 'Option 2 Compensation Flow'.
- 1.5 Subject to condition 1.6, 2.2.2 and 2.4, if the Option 2 Compensation Flow under conditions 1.3 and 1.4 of Leeshaw drought permit number DP2022-NE0270014011 dated 24/10/2022 decreases from no less than 1.33 megalitres per day to no less than 0.92 megalitres per day, the release from Leeming Reservoir shall increase to no less than 1.75 megalitres per day.
- 1.6 At all times when the Water Company maintains the gauge in condition 4.4 of Licence NE/027/0014/010 in Leeming Reservoir for measuring the distance between the level of water therein and the top water level of 254.96 metres above Ordnance Datum (Newlyn):

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If the Option 2 Compensation flow under conditions 1.3 and 1.4 of the of the Leeshaw drought permit number DP2022-NE0270014011 dated 24/10/2022 decreases from no less than 1.33 megalitres per day to no less than 0.92 megalitres per day

AND

the said distance as gauged on any Monday equals or exceeds the value shown in column 2 of the table in condition 1.3, as relates to the number of that Monday in column 1, the quantity of water that the Water Company shall release from Leeming Reservoir to Leeming Water on each subsequent day shall reduce from no less than 1.33 megalitres per day to no less than 1.08 megalitres per day, until the said distance on any subsequent Monday is equal to or less than the value in column 3 of the table in condition 1.3 as relates to the number of that Monday in column 1, whereupon condition 1.4 shall apply. The first Monday in each calendar year is numbered 1 and each subsequent Monday is numbered consecutively thereafter.

Regional Drought Control Line' is stated in Figure 2.1 in Section 2.1 of the Yorkshire Water Services 2022 Drought Plan, marked 'DCL' in the graph for the Regional Reservoir Group (with the left hand vertical column representing in percentage terms how full the reservoirs in the entire Region are).

ENVIRONMENTAL MONITORING AND MITIGATION

- 2.1 The Water Company shall undertake the monitoring as set out in Appendices 1 and 2.
- 2.2 If the monitoring identifies signs of environmental problems, 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:
 - 2.2.1 (i) upon finding any signs of environmental problems the Water Company shall notify as soon as practically possible notify the Agency in writing and by telephone on 0800 80 70 60 and provide details of the signs of distress and the location;
 - (ii) a remedial course of action shall be formulated to address the signs of environmental problems, which shall be implemented as directed in writing by the Agency.
 - 2.2.2 If, upon being notified of any signs of environmental problems in accordance with condition 2.2.1(i) or at its own instigation, the Agency gives written notice that there is a disruption to the ecology, the Water Company shall increase compensation from Leeming Reservoir to Leeming Water at National Grid Reference SE 03698 34382 back to the Compensation Flow as provided in Condition 4.1, 4.2 and 4.3 of the Licence, or such lesser quantity as may be agreed in writing by the Agency.

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

The Water Company shall not thereafter reduce compensation flows back to those specified in Condition 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.

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2.3 The changes to the compensation flow specified in Conditions 1, 2.2.2 and 2.4 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, disturbance to water users downstream, 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.

2.4 **Freshet flows**

If, upon being notified by the Agency, or upon discovering through environmental monitoring, or through other evidence that an increase in compensation flow is needed to support riverine ecology, as identified in the Water Company Environmental Monitoring Plan North West Area Appendix, termed IDMIT_9, the Water Company shall increase compensation flow at a time, to a rate and for a duration, as agreed in writing by the Agency at, National Grid Reference SE 03698 34382, or other location as agreed in writing by the Agency.

2.5 **Combined Sewer Overflows**

The additional monitoring and maintenance activities specified in the Combined Sewer Overflows (CSO's) Optimisation and Maintenance for Drought Plan 2022 shall be applied by the Water Company to the following combined sewer outfall assets, in accordance with Appendix A of the same plan:

- i) Buck Mill Lane CSO, discharges to Brackendale Beck at National Grid Reference SE 16893 38881.
 Dock Lane CSO, discharges to Bradford Beck at National Grid Reference SE 15161 37590.
 Coach Road CSO, discharges to River Aire at National Grid Reference SE 14449 38140.
 South Street Keighley CSO, discharges to River Worth at National Grid Reference SE 05920 40223.
 Mytholmes Lane CSO, discharges to River Worth at National Grid Reference SE 03605 38083.
 Ingrow Lane CSO, discharges to River Worth at National Grid Reference SE 05655 39764.
- ii) as agreed in writing by the Agency, any combined sewer overflow assets not identified in Appendix A, but subsequently deemed by the Water Company or the Agency to risk adverse impact to a watercourse while compensations flows are reduced.

3.0 **FURTHER CONDITIONS**

3.1 Unless the Agency otherwise agree in writing, this drought permit shall not be relied upon unless the Water Company has imposed Temporary Use Ban restrictions from Yorkshire Water Services 2022 Drought Plan for the Grid Resource Zone and such restrictions remain in force.

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**APPENDIX 1
ENVIRONMENTAL MONITORING SCHEDULE: STANDARD SCHEDULE**

Assessment Type	<p>Surveillance walkover surveys of habitat quality and ecological stress, recording signs of environmental problems</p> <p>The water company shall discuss and agree with the Agency any proposed changes to this monitoring schedule in advance of carrying out any of the survey work.</p>
Duration of Monitoring	The environmental monitoring surveys shall take place from the first day that the total compensation flow to Leeming Beck from Leeming Reservoir is reduced under this drought permit until this drought permit expires or is revoked, unless otherwise agreed by the Environment Agency.
Environmental Distress	<p>The following are suggested signs of environmental problems but are not exhaustive. If advice is required then the Agency can be contacted on 0800 80 70 60.</p> <ul style="list-style-type: none"> • 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, problems exacerbated during lower flows and/or reduced dilution. • Algal blooms. <p>Establishment and/or expansion of invasive non-native species.</p>
Monitoring Method & Standard of Assessment	<p>The water company shall measure and record the following information.</p> <p>For all environmental problems identified:</p> <ul style="list-style-type: none"> • The location of the site of environmental problems observed. • A photo or photos should be taken of any signs of environmental distress. • Weather conditions at the time of the observations. • Dissolved oxygen concentration • Ammonium concentration <p>Where relevant to the environmental problem observed:</p>

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	<ul style="list-style-type: none"> • 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. <p>Species, location and extent of invasive non-native species.</p>
Frequency of monitoring	On the day of any flow changes implemented under conditions 1 or 2.2.2 the day after and then weekly thereafter until no further flow changes are made. If no signs of environmental distress are noted from two consecutive walkover surveys no further walkover surveys are necessary until there are further flow changes.
Location of Monitoring	<ul style="list-style-type: none"> • Bridgehouse Beck T2 between SE 0356734403 and SE 03458 34727. • Bridgehouse Beck 1 between SE0362035976 and SE0349835618. • 350m location within Airedale Spring Mill Pond Local Wildlife Site, Haworth SE0361537576 to SE0349337239 • Worth 2 between SE0510538813 and SE0530439241 • Aire 1 between SE1312338376 and SE1367538239 • Aire 2 between SE1748139782 to SE1802540113
Survey Results	<p>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:</p> <p>i) Monitoring data as required from Condition 2.1,</p> <p>The report shall be sent to drought.yorkshire@environment-agency.gov.uk</p> <p>Note: a calendar week is a period of 7 consecutive days beginning on a Monday.</p>
Responsibility	<p>Unless otherwise discussed and agreed in writing, the water company will be responsible for all of the costs associated with this monitoring programme.</p> <p>Health and safety requirements whilst carrying out the surveys are the responsibility of the water company.</p>

APPENDIX 2

ENVIRONMENTAL MONITORING SCHEDULE: SHORT-TERM POLLUTION SCHEDULE

Assessment Type	Targeted surveillance walkover surveys of water quality and ecological stress local to 'significant' water quality pressures', to include water quality spot sampling in priority areas such as pools and weirs where aquatic species may become isolated during low flows
Duration of Monitoring	The environmental monitoring surveys shall take place from the first day that the total compensation flow to Leeming Beck from Leeming Reservoir is reduced under this drought permit until this drought permit expires or is revoked, unless otherwise agreed by the Environment Agency.
Environmental Distress	<p>The following are signs of environmental problems but are not exhaustive. If advice is required then the Agency can be contacted on 0800 80 70 60.</p> <ul style="list-style-type: none"> • 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, problems exacerbated during lower flows and/or reduced dilution. • Algal blooms. <p>Establishment and/or expansion of invasive non-native species.</p>
Monitoring Method & Standard of Assessment	<p>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 problems identified:</p> <ul style="list-style-type: none"> • The location of the site of environmental problems observed. • A photo or photos should be taken of any signs of environmental distress. • Weather conditions at the time of the observations. • Dissolved oxygen concentration • Ammonium concentration <p>Where relevant to the environmental problem observed:</p> <ul style="list-style-type: none"> • 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. <p>Species, location and extent of invasive non-native species.</p>

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Frequency of monitoring	On the day of any flow changes implemented under conditions 1 or 2.2.2, the day after and then weekly thereafter until no further flow changes are made. If no signs of environmental distress are noted from two consecutive walkover surveys no further walkover surveys are necessary until there are further flow changes.
Location of Monitoring	Bridgehouse Beck 1: 10m upstream and at least 100m downstream of the Oxenhope WwTW discharge outfall at SE 03550 35670
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: i) 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 of 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 licence.

REASONS FOR MODIFICATIONS AND CONDITIONS

Mitigation

Condition 2 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 –North West Area Reservoirs', 07/09/2022.

Freshet flows

Condition 2.4 allows for compensation flows to be temporarily increased from the quantities specified under Condition 1 through the range of flows up to and including the maximum authorised under NE 027/0014/010.

Section 3.4.'In Drought Mitigation Options' of Yorkshire Water's Environmental Monitoring Plan identifies Freshet Flows in the context of this drought permit as;

IDMIT_9 - Artificial freshet release to provide temporary variation in the flow regime (fish, white-clawed crayfish, fine-lined pea mussel, water vole, otter.

For the purpose of condition 2.4, 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 the fact that this is in regard to the 'Leeming Reservoir Drought permit.'

Combined Sewer Overflows (CSO's)

Condition 2.5 identifies the CSO assets where the risk of adverse impact has been established. These are detailed in Appendix A to the Combined Sewer Overflows (CSO's) Optimisation and Maintenance for Drought Plan 2022. The implementation of the measures detailed in this plan are referred to as IDMON_3 in Section 6.2, Table 6.2 of the North West Reservoirs Environmental Impact Assessment 07/09/2022.

The reach of watercourse identified as at risk of adverse impact through the CSO's detailed in Condition 2.6 are defined in Section 4.2, Table 4.2 of the North West Reservoirs Environmental Impact Assessment 07/09/2022 which, in the context of this licence are:

- Bridgehouse Beck 1
- Bridgehouse Beck T2
- Worth 1
- Worth 2
- Aire 1

The Water Company or the Agency may be deem it necessary to implement the monitoring and maintenance measures on CSO assets that are not listed in Appendix A of the above mentioned plan. Condition 2.5 (ii) provides for this possibility.

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Monitoring Locations

The Monitoring Locations referred to in Appendix 1 and Appendix 2 are the downstream reach or reaches where monitoring is required, in accordance with Water Company Environmental Monitoring Plan North West Area Appendix A2 dated 13.09.2022, respectively termed IDMON_1 and IDMON_2, and the Water Company Drought Options Impact Screening – Appendix 4 North-West Area Reservoirs.

IMPORTANT NOTES

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.

For the purpose of condition 2.2.1 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 'Leeming Drought Permit.'