

**Water Resources
LICENCE TO**

ABSTRACT

WATER

DRAFT

Environment Act 1995
Water Resources Act 1991 as amended by the
Water Act 2003
Water Resources (Abstraction and Impounding)
Regulations 2006

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;](#)
- [notify us of the death or bankruptcy of the licence holder ;](#)
- [vary \(change/amend\) the licence in any way](#)
- [change the owner of the licence](#) or
- [change your contact address \(but you continue to hold the licence\).](#)

You can find our forms on [.GOV UK](#) or alternatively contact us for advice on how to make any changes by calling our National Customer Centre on 03708 506 506.

Transfer and apportionment (split)

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

‘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.

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.

You must notify us in writing within **15 months** of the date of vesting, being either death or bankruptcy of the licence holder 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 (where appropriate this will be shown 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 the relevant [Abstraction Licensing Strategy](#) (ALS).

At the end of the time limit, we should be able to renew the licence if:

- there is no damage to the environment;
- the need for the abstraction can still be justified;
- water is being used efficiently; and
- you still meet the legal requirements for getting a licence.

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 six 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 will 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. To work out your charges, please refer to our [Scheme of Abstraction Charges](#) available on GOV.UK. The licence holder specified by the current issue of the licence is responsible for the payment of the annual charge until the date the licence is legally transferred to a new licence holder or the licence ends.

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.

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.
- to interfere with a meter or other device which measures quantities of water abstracted so as to prevent it from measuring correctly;
- **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 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 and the Water Abstraction and Impounding (Exemptions) Regulations 2017. 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 have the right to appeal against our decision.

You should write to the Secretary of State for the Environment, Food and Rural Affairs, care of The Planning Inspectorate at:

Environment Appeals
The Planning Inspectorate
3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Alternatively you can obtain an on-line appeal form at:

<https://www.gov.uk/government/publications/water-abstraction-and-impoundment-appeal-form>

You must serve notice of appeal within 28 days of the date of receipt of this licence (although the Secretary of State has power to allow a longer period for serving notice of appeal). See [Water Resources Act 1991, section 43](#).

Disclosure of information

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).

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.

Licence Serial No:	SW/048/0191/012
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Please quote the serial number in all correspondence about this licence



TRANSFER LICENCE TO ABSTRACT WATER

The Secretary of State for the Environment, Food and Rural Affairs is hereby deemed to grant this licence to:-

Environment Agency ("the Licence Holder")
 Horizon House
 Deanery Road
 Bristol
 BS1 5AH

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

Signed **Date of issue** <day/month/year>
 <insert name> **Date effective** <day/month/year>
 Deputy Director of Water Resources **Date of expiry** 31 March 2042

Environment Agency
 Horizon House
 Deanery Road
 Bristol
 BS1 5AH

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 forms part of this licence.
 References to "the Agency" are to the Environment Agency or any successor body.

SCHEDULE OF CONDITIONS

1. SOURCE OF SUPPLY

1.1 Inland water known as the Par St Blazey Stream at Par, St Blazey, Cornwall.

2. POINT OF ABSTRACTION

2.1 At National Grid Reference SX 07505 53498 marked 'A' on the map.

3. MEANS OF ABSTRACTION

3.1 Gravity flow to an enclosed elliptical culvert structure.

4. PURPOSE OF ABSTRACTION

4.1 Transfer for the purpose of eel passage.

5. PERIOD OF ABSTRACTION

5.1 All year.

6. FURTHER CONDITIONS

6.1 The Licence Holder shall construct and operate the eel pass in accordance with the specifications and plans:

- Par St Blazey Fish and Eel Pass – General Arrangement & Hazard Plan – ENVIMSW002205-ATK-00-4XX-DR-C-000001 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Long Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000002 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Upstream Plan and Section – ENVIMSW002205-ATK-00-4XX-DR-C-000003 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Downstream Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000004 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Culvert Barrel Detail – ENVIMSW002205-ATK-00-4XX-DR-C-000005 – Revision C02, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Detailed Design Reinstatement Details – ENVIMSW002205-ATK-00-4XX-DR-C-000006 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Track Support Zone Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000008 – Revision C01, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Network Rail Zone of Influence Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000009 – Revision C01, dated 11/08/23,

copies of which are appended to this licence document, or such minor amendments to those documents that are accepted in writing by the Agency prior to the date of commencement of construction.

- 6.2 (i) No abstraction shall take place until the Licence Holder has been granted approval by the Agency for installation of an eel pass.
- (ii) The Licence Holder shall maintain, repair or replace the eel pass and ensure that it remains free of obstruction in order that it is effective at all times.
- (iii) The Licence Holder shall keep records of maintenance, repair or replacement of the eel pass for 6 years and shall make them available during all reasonable hours for inspection by the Agency.
- 6.3 The Licence Holder shall return all of the water abstracted for condition number 4.1 in pursuance of this licence to the Par River at National Grid Reference SX 07515 53503 marked 'Q' on the map.
- 6.4 The Licence Holder shall notify the Agency in writing 14 calendar days inclusive before the commencement of construction of the eel pass authorised by this licence.
- 6.5 (i) The Licence Holder shall provide written confirmation (including drawing/s that clearly detail and show the eel pass as it has been built) to the Agency from an independent qualified civil engineer, or other suitably qualified person, that the eel pass has been constructed in accordance with the submitted specification and drawings specified in condition 6.1 of this licence (or such minor amendments to these documents that have been accepted in writing by the Agency).
- (ii) The Licence Holder shall provide the written confirmation referred to above at least 14 calendar days before the eel pass is commissioned or becomes operational.
- (iii) The Licence Holder shall not operate the eel pass unless such confirmation has been submitted and written approval has been given by the Agency.
- 6.6 The Licence Holder shall ensure that during construction works and any subsequent maintenance works to the eel pass that the flow in the Par St Blazey Stream and the River Par is allowed to pass downstream unchanged in quantity and quality at all times.
- 6.7 This licence shall cease to be of any effect if the abstraction it authorises has not commenced by **XXX 2028**.

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

Water must be returned at the National Grid References specified to protect the environment and the interests of the existing downstream rights and lawful users of water.

The licence is time-limited to a date to reflect the timing of a future review of the catchment resources availability.

The licence includes a 'self-destruct' condition in order to secure the proper use of water resources and to avoid commitment of water resources to an abstraction right which cannot be exercised.

IMPORTANT NOTES

This eel pass transfer licence is enabled a flow of water by an impoundment in the Par St. Blazey Stream as authorised under Licence Serial No. SW/048/0191/009, which should be referred to accordingly.

Water efficiency note

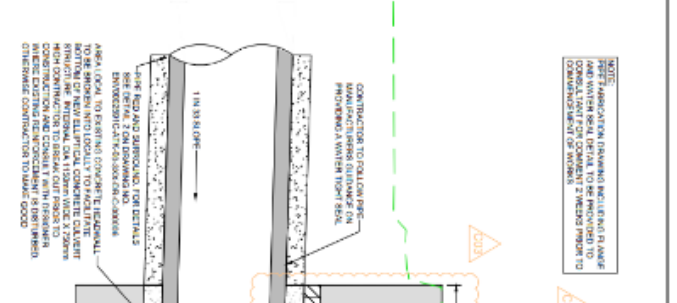
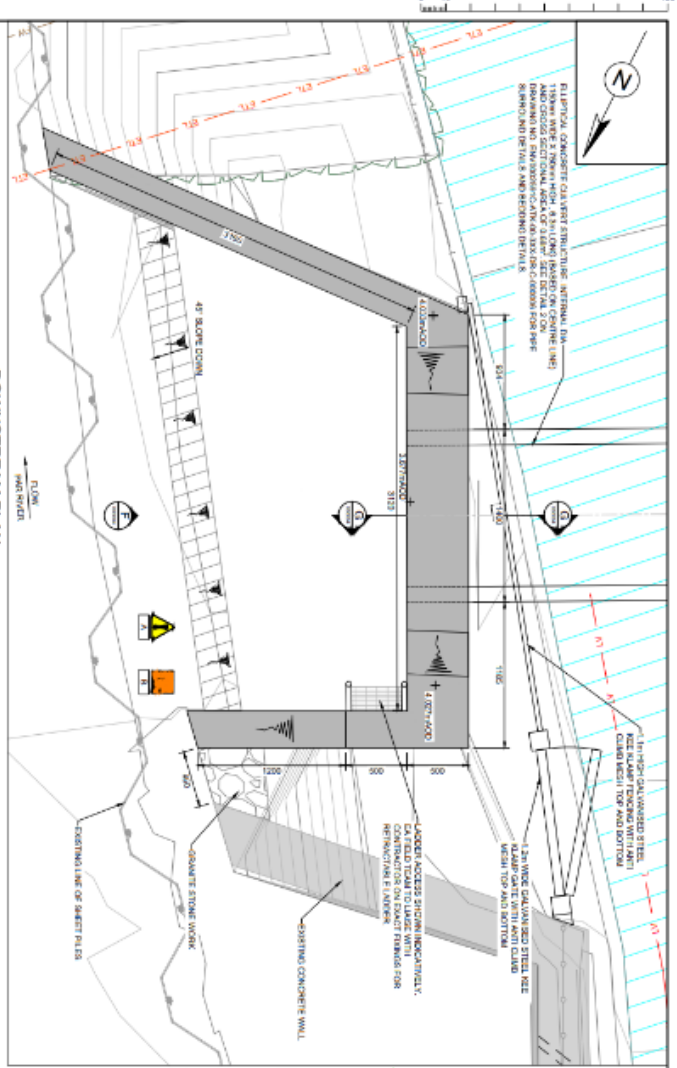
The Licence Holder should use water abstracted under the terms of this licence in an efficient manner. The Agency may refer to its guidance on water efficiency (or equivalent guidance) in determining whether water is being used efficiently and may offer advice on any measures considered necessary to meet particular recommendations.

Eel passes

The Agency may have regard to its best practice guide, the Eel Manual: Elver & eel Passes (or equivalent guidance) in agreeing where, how and what type of eel pass should be installed and together with the results of any monitoring in determining whether the eel pass is properly effective and maintained, and in judging whether it is necessary to require repair or replacement of the eel pass.

Contact details

For the purpose of conditions 6.4, 6.5 (i) and 6.5 (ii) the licence holder shall send notifications and the report (with as built drawings) to the Integrated Environment Planning Team at IEPPDEVONandCORNWALL@environment-agency.gov.uk.



NOTES:

- 1 ALL CONCRETE WORK TO HAVE SYSTEM CHANGE PERMITTED CONCRETE TO BE NOTIFIED TO THE CONTRACTOR FOR CONSTRUCTION.
- 2 CONCRETE TO HAVE SYSTEM CHANGE PERMITTED CONCRETE TO BE NOTIFIED TO THE CONTRACTOR FOR CONSTRUCTION.
- 3 EXISTING EXISTING STRUCTURE SHALL BE TYPE 1 MATERIAL TO BE PRESERVED TO REMAIN IN PLACE FOR PROTECTIVE PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THIS STRUCTURE THROUGHOUT THE CONSTRUCTION PERIOD.
- 4 EXISTING EXISTING STRUCTURE SHALL BE TYPE 1 MATERIAL TO BE PRESERVED TO REMAIN IN PLACE FOR PROTECTIVE PURPOSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THIS STRUCTURE THROUGHOUT THE CONSTRUCTION PERIOD.

DO NOT SCALE

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

It is the contractor's responsibility to ensure that all work is carried out in accordance with the terms of the contract and the relevant legislation.

CONSTRUCTION

A RISK OF FURTHER DAMAGE TO THE EXISTING HEADWALL DURING CONSTRUCTION OF THE CONCRETE CULVERT SHALL BE AVOIDED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THIS STRUCTURE THROUGHOUT THE CONSTRUCTION PERIOD.

DEMOLITION

DEMOLITION OF THE EXISTING HEADWALL SHALL BE CARRIED OUT IN ACCORDANCE WITH THE TERMS OF THE CONTRACT AND THE RELEVANT LEGISLATION.

MAINTENANCE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE CONCRETE CULVERT THROUGHOUT THE CONSTRUCTION PERIOD.

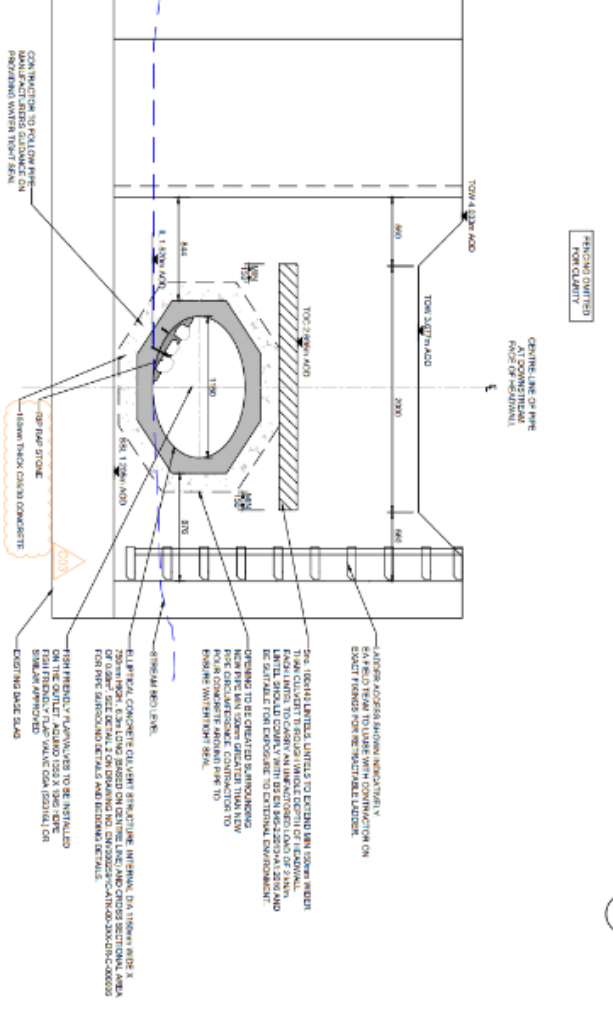
NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING HEADWALL THROUGHOUT THE CONSTRUCTION PERIOD.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE CONCRETE CULVERT THROUGHOUT THE CONSTRUCTION PERIOD.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING HEADWALL THROUGHOUT THE CONSTRUCTION PERIOD.

DOWNSTREAM PLAN
SCALE 1:20



ELEVATION F - EXISTING HEADWALL AT DOWNSTREAM
SCALE 1:20

LEGEND:

---	STANDARD FINISH
---	TOP OF CONCRETE
---	EXISTING GROUND LEVEL
---	TOP OF WALL
---	EXISTING CONCRETE
---	EXISTING CONCRETE
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---	EXISTING CONCRETE

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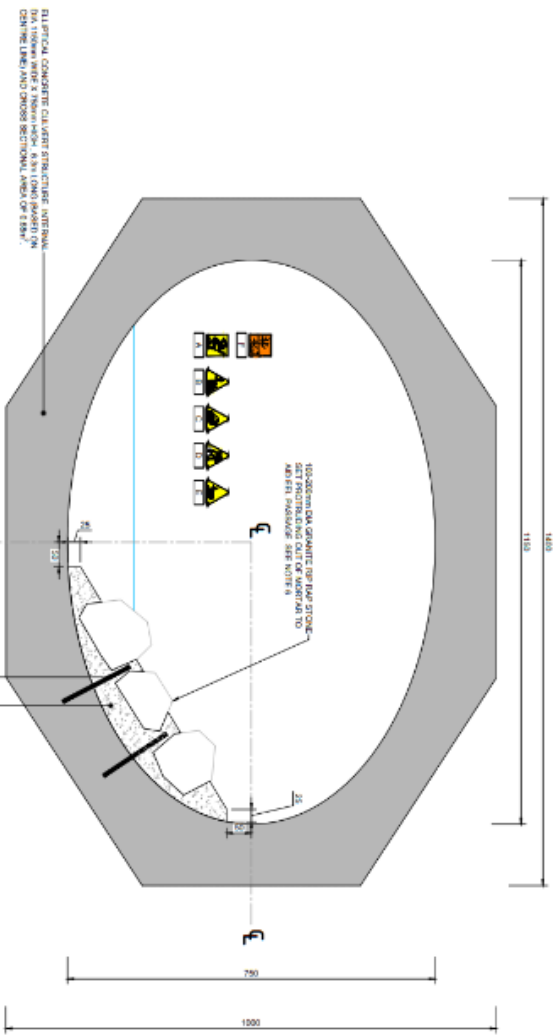
Environment Agency

PAR ST BLAZEY FISH AND EEL PASS DOWNSTREAM PLAN AND SECTIONS

Revised To	Date	By	For
AI	11/08/23	AI	AS
AS	11/08/23	AS	AS
AS	11/08/23	AS	AS

EN/MS/002205-ATK-DU-4XX-DR-C-00004 C03

DO NOT SCALE



CULVERT BARREL DETAIL
SCALE 1:2

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION
 In addition to the Environmental Information provided on this sheet, the Contractor shall refer to the following information:
CONSTRUCTION
 A. RISK OF WORKING IN CONFINED SPACES
 B. RISK OF WORKING OVER OR NEAR WATER / AREA OF FLOOD
 C. RISK OF NOISE, VIBRATION AND SETTLEMENT FROM DRILLING ACTIVITY
 D. RISK OF ENVIRONMENTAL POLLUTION FROM DRILLING ACTIVITY
 E. RISK OF POLLUTION TO THE WATER COURSE
MAINTENANCE/CLEANING
 A. RISK OF POLLUTION TO THE WATER COURSE
DEFECTION
DECOMMISSIONING/REPLICATION
 A. RISK OF POLLUTION TO THE WATER COURSE
 B. RISK OF POLLUTION TO THE WATER COURSE
 C. RISK OF POLLUTION TO THE WATER COURSE
 D. RISK OF POLLUTION TO THE WATER COURSE
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 O. RISK OF POLLUTION TO THE WATER COURSE
 P. RISK OF POLLUTION TO THE WATER COURSE
 Q. RISK OF POLLUTION TO THE WATER COURSE
 R. RISK OF POLLUTION TO THE WATER COURSE
 S. RISK OF POLLUTION TO THE WATER COURSE
 T. RISK OF POLLUTION TO THE WATER COURSE
 U. RISK OF POLLUTION TO THE WATER COURSE
 V. RISK OF POLLUTION TO THE WATER COURSE
 W. RISK OF POLLUTION TO THE WATER COURSE
 X. RISK OF POLLUTION TO THE WATER COURSE
 Y. RISK OF POLLUTION TO THE WATER COURSE
 Z. RISK OF POLLUTION TO THE WATER COURSE

NOTES:
 1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS AND SPECIFICATIONS.
 2. ALL DIMENSIONS ARE IN MILLIMETRES AND ALL LEVELS ARE IN METRES ABOVE OR BELOW DATUM UNLESS OTHERWISE SPECIFIED.
 3. MATERIALS TO BE USED AT THE FOLLOWING SPECIFICATION:
 A. CONCRETE - 30MPa (C30/37)
 B. STEEL - S275JR
 C. SAND - 0/4mm
 D. GRAVEL - 4/20mm
 E. STONE - 20/40mm
 F. FILL - 0/10mm
 G. FILL - 10/20mm
 H. FILL - 20/40mm
 I. FILL - 40/60mm
 J. FILL - 60/80mm
 K. FILL - 80/100mm
 L. FILL - 100/125mm
 M. FILL - 125/150mm
 N. FILL - 150/180mm
 O. FILL - 180/225mm
 P. FILL - 225/300mm
 Q. FILL - 300/375mm
 R. FILL - 375/450mm
 S. FILL - 450/525mm
 T. FILL - 525/600mm
 U. FILL - 600/750mm
 V. FILL - 750/900mm
 W. FILL - 900/1050mm
 X. FILL - 1050/1200mm
 Y. FILL - 1200/1350mm
 Z. FILL - 1350/1500mm



NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
001	FOR INFORMATION	28/01/2023	SN	SN	AV
002	FOR CONSTRUCTION	28/01/2023	SN	TA	AV

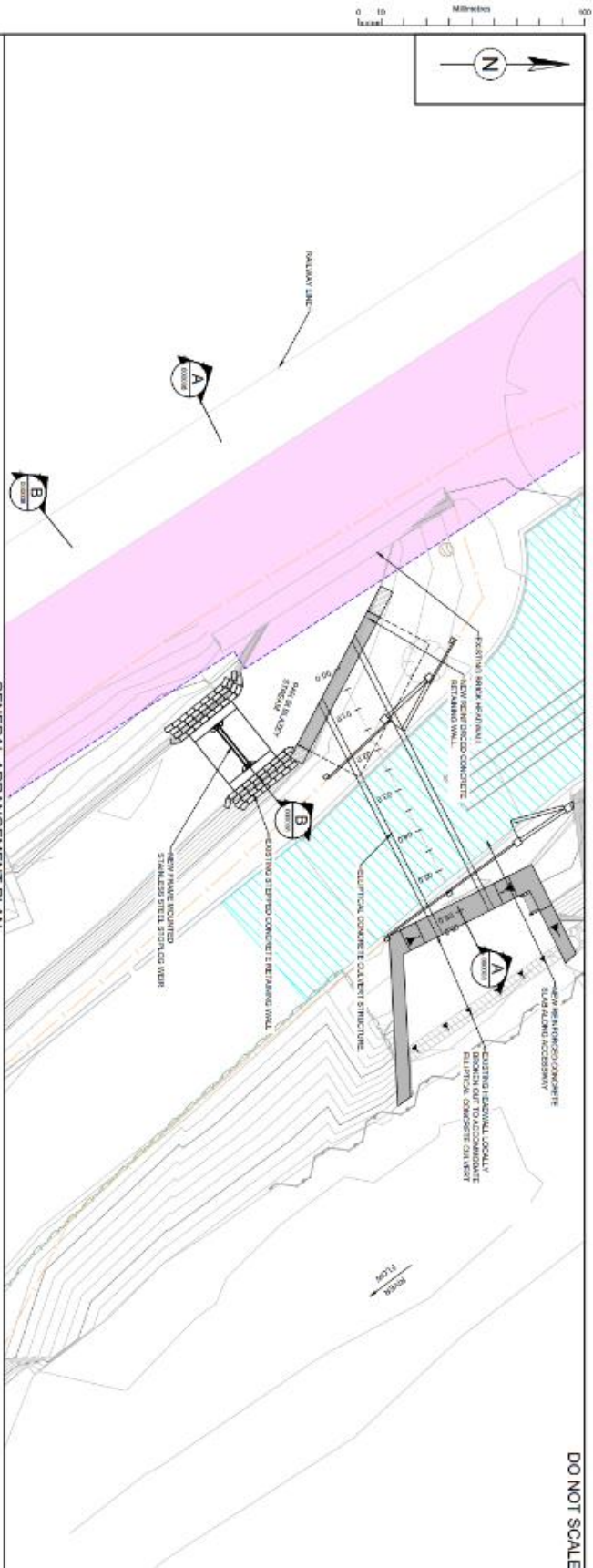
Published Design Stage Files
AA

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Environment Agency
 PAR ST BLAZEY
 ADDITIONAL WORKS
 PAR ST BLAZEY
 FISH AND EEL PASS
 CULVERT BARREL DETAIL

NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
001	FOR INFORMATION	28/01/2023	SN	SN	AV
002	FOR CONSTRUCTION	28/01/2023	SN	TA	AV

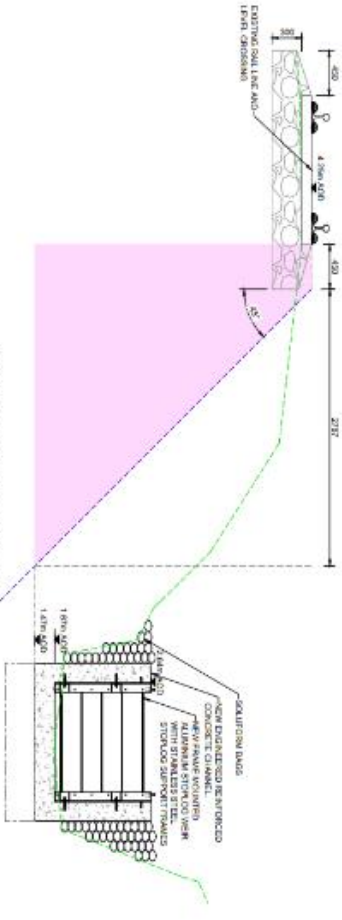
DO NOT SCALE



GENERAL ARRANGEMENT PLAN SCALE 1:50



SECTION A ACROSS CULVERT SCALE 1:50



SECTION B ACROSS WEIR SCALE 1:25

LEGEND:

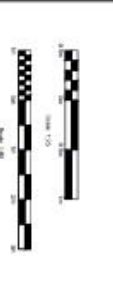
	TRACK SUPPORT ZONE
	WATER COURSE
	WATER COURSE
	TRACK SUPPORT ZONE EXTENT
	EXISTING TRACK
	EXISTING (REINFORCED) EXCAVATION TO BOTTOM OF TYPE 1

SAFETY, HEALTH AND ENVIRONMENTAL CONSIDERATIONS

- 1. TO AVOID ALL THE ENVIRONMENTAL AND SAFETY CONSIDERATIONS.
- 2. TO AVOID ALL THE ENVIRONMENTAL AND SAFETY CONSIDERATIONS.
- 3. TO AVOID ALL THE ENVIRONMENTAL AND SAFETY CONSIDERATIONS.
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- 9. TO AVOID ALL THE ENVIRONMENTAL AND SAFETY CONSIDERATIONS.
- 10. TO AVOID ALL THE ENVIRONMENTAL AND SAFETY CONSIDERATIONS.

NOTES

1. THE DESIGN IS TO BE READ IN CONNECTION WITH ALL OTHER PROVISIONS OF THE CONTRACT.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SERVICES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND EQUIPMENT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ENVIRONMENTAL FEATURES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SAFETY FEATURES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ACCESSIBILITY FEATURES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING VISIBILITY FEATURES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SOUND BARRIER FEATURES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LIGHTING FEATURES.



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Published Design Stage Files AA

CDT	11/03/2023	FROM CONSTRUCTION	BY	TA	AV
CDT	11/03/2023	ISSUED	TA <td>AV <td>AV</td> </td>	AV <td>AV</td>	AV

Environment Agency

PAR ST BLAZEY ADDITIONAL WORKS

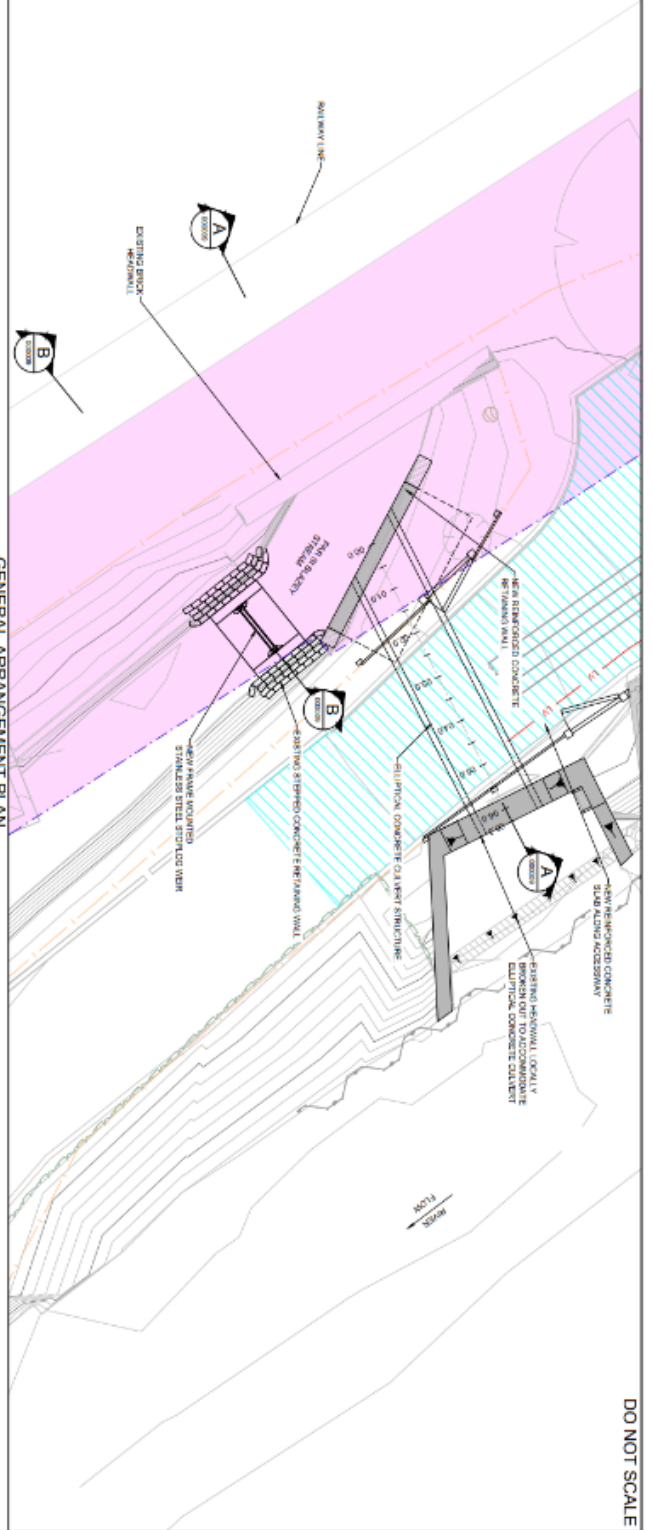
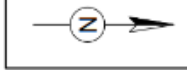
PAR ST BLAZEY FISH AND EEL PASS TRACK SUPPORT ZONE PLAN AND SECTIONS

NO	DATE	BY	CHKD
AS	11/03/23	TA	AV
AI	11/03/23	TA	AV
AI	11/03/23	TA	AV
AI	11/03/23	TA	AV

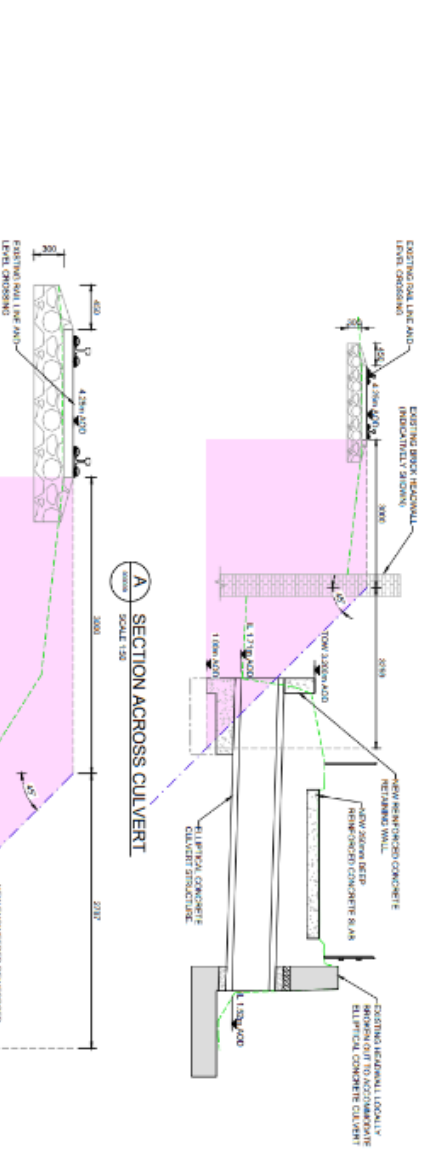
ENVIRONMENT AGENCY

Project No: **EW002025-A11K-00-4XX-DR-C-000008**

Draw No: **CD1**



GENERAL ARRANGEMENT PLAN
SCALE 1:50



A SECTION ACROSS CUL VERT
SCALE 1:20



B SECTION ACROSS WEIR
SCALE 1:20

LEGEND:

	NETWORK USE ZONE OF INFLUENCE
	MCC S&AP
	MAJOR CONTROL
	NETWORK RAIL ZONE OF INFLUENCE EXTEND
	EXISTING FENCE
	EXISTING GROUND PROFILE
	REGULATION TO BENTON OF TYPE 1

DO NOT SCALE

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the Hazards that normally associated with the types of work CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF THE NETWORK:

- A. RISK OF POLLUTION TO THE ENVIRONMENT.
- B. RISK OF MAJOR LINE HEAVY.
- C. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- D. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- E. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- F. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- G. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- H. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- I. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- J. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- K. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.
- L. RISK OF ENVIRONMENTAL DAMAGE TO THE NETWORK.

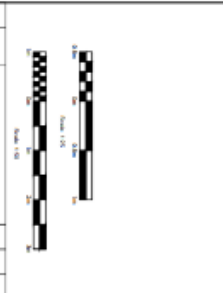
MAINTENANCE/EARNING

DECOMMISSIONING/DEMOLITION

AS PER CONSTRUCTION

NOTES:

1. THIS DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER ENGINEERING DRAWINGS.
2. ALL DIMENSIONS ARE IN METERS AND ALL LEVELS ARE OTHERWISE STATED.
3. THE LOCATION OF ANY EXISTING PUBLIC OR PRIVATE SERVICES TO BE EXISTING OR BEING OBTAINED FROM THE DRAWING IS BELIEVED TO BE CORRECT BUT NO WARRANTY IS MADE AS TO THE ACCURACY OF THIS INFORMATION. CONTRACTOR IS TO INVESTIGATE THEIR OWN WORKSITES PRIOR TO THE COMMENCEMENT OF ANY WORK TO DETERMINE THE LOCATION AND DEPTH OF ANY SERVICES AND TO TAKE NECESSARY PRECAUTIONS TO AVOID DAMAGE TO THESE SERVICES.
4. THE DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED AS A BASIS FOR CONTRACTING OR FOR THE PROVISION OF SERVICES.
5. THE DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED AS A BASIS FOR CONTRACTING OR FOR THE PROVISION OF SERVICES.



Published Design Stage Files

File Name	Version	Date	Author
001_110823	1.0	11/08/23	ATKINS
001_110823	1.1	11/08/23	ATKINS
001_110823	1.2	11/08/23	ATKINS

ATKINS

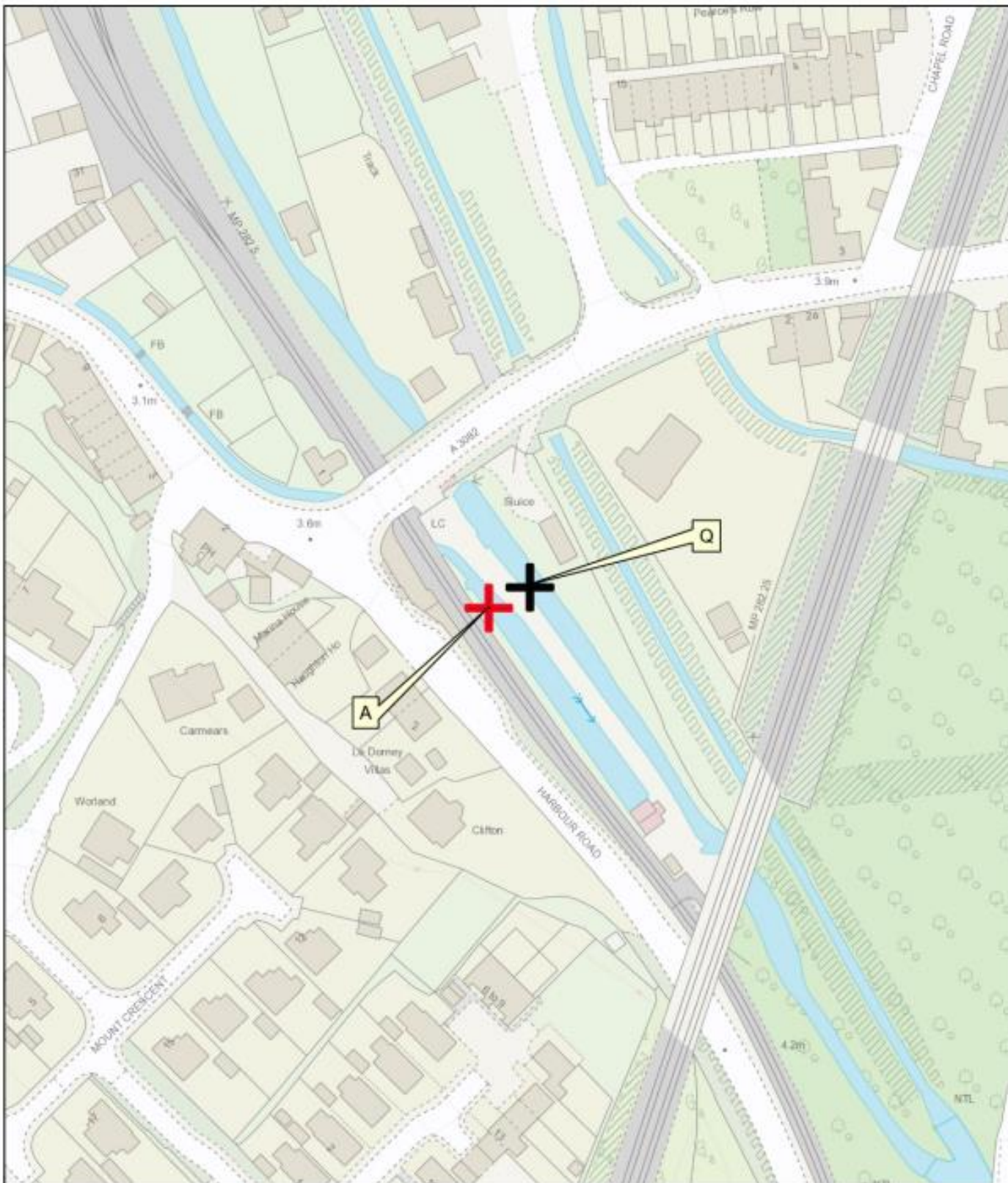
200 Park Avenue
London W1P 6AN
UK
Tel: +44 (0)20 7141 4000
Fax: +44 (0)20 7141 4003
www.atkinsglobal.com

Environment Agency

PAR ST BLAZEY ADDITIONAL WORKS

Activity	Start	End
PAR ST BLAZEY FISH AND EEL PASS NETWORK RAIL ZONE OF INFLUENCE PLAN AND SECTIONS	11/08/23	11/08/23
AS PER	11/08/23	11/08/23
AS PER	11/08/23	11/08/23

ENR/9/5W/002205-ATK-J0-4XX-DR-C-0100001



MAP ACCOMPANYING LICENCE NUMBER

SW/048/0191/012

Scale 1:1,250



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enquiries@environment-agency.gov.uk

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Floodline 0345 988 1188



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**Water Resources
LICENCE TO**

IMPOUND

WATER

DRAFT

Environment Act 1995
Water Resources Act 1991 as amended by
the Water Act 2003
Water Resources (Abstraction and
Impounding) Regulations 2006

IMPORTANT NOTES

Need for safekeeping

This licence is an important document. The permission or right to impound water may be valuable to your landholding. So -

- Keep the licence safe, preferably with your deeds etc.
- Read these notes and the licence conditions carefully to ensure you have a full understanding of its meaning.

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.

The impounding works may also be conditional on, or otherwise involve, you entering into a related agreement with the Environment Agency. This may be registered and will bind you and any change in owner of your land. This licence and any such Agreement should therefore be disclosed on any change of title or occupation.

If you want to:

- **revoke (cancel) the licence;**
- [notify us of the death or bankruptcy of the licence holder;](#)
- [vary \(change/amend\) the licence in any way](#)
- [change the owner of the licence](#) or
- [change your contact address \(but you continue to hold the licence\).](#)

You can find our forms on [.GOV.UK](#) or alternatively contact us for advice on how to make any changes by calling our National Customer Centre on 03708 506 506

Scope of this licence

This licence has effect only for the purposes of Part II of the Water Resources Act 1991 as amended by the Water Act 2003. In granting this licence, and in considering any drawings submitted, you should assume that the Environment Agency has taken into account only considerations relevant to the conservation and proper use of water resources in the area. Grant of this licence does not imply that the Environment Agency has approved the details of construction of the impounding works, including whether the proposed construction is adequate or safe. The licence holder is entirely responsible for ensuring compliance with all other requirements. Grant of this licence does not in any way suggest that these have been fulfilled.

Changes to the impounding works or revocation of this licence

If you want to alter the impounding works and/or the way you operate them, you will need to vary the terms of the licence (and, if applicable, any related agreement). If you want to revoke this licence, you may be required to satisfy certain conditions that the Environment Agency may specify for the removal of the works.

Contact us for advice if you want to vary or revoke this licence by calling our National Customer Centre on 03708 506 506.

Transfer of this licence

If you need to pass this licence to someone else, you must contact the Environment Agency and obtain the appropriate application forms. The licence holder remains responsible for compliance with the terms of the licence until it has been transferred.

Death or bankruptcy of the licence holder

'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.

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.

You must notify us in writing within **15 months** of the date of vesting, being either death or bankruptcy of the licence holder giving the full names of all personal representatives or trustees and a contact address

Other requirements for impoundments

Depending on circumstances, you may also have to comply with other legal requirements, i.e. apart from obtaining this licence, before carrying out or operating the impoundment. These may include:

- obtaining a [flood risk activities: environmental permit](#) (relating to structures on main rivers);
- obtaining consent under section 23 Land Drainage Act 1991 from the relevant internal drainage board or lead flood authority (relating to obstructions in watercourses);
- obtaining planning permission from your local [planning authority](#);
- complying with requirements of the Reservoirs Act 1975 (in relation to

safety of larger raised reservoirs). The Environment Agency became the regulatory body on 1 October 2004;

- obtaining consent from the owner of the other bank of the watercourse to the proposed impoundment;
- not contravening pollution control provisions of the Water Resources Act 1991, particularly in relation to allowing matter to be carried away in suspension when sluices etc. are opened;
- complying with the provisions of the Salmon and Freshwater Fisheries Act 1975 relating to the passage of fish.

Some of these matters are under the control of the Environment Agency, but for administrative and legal reasons are kept separate from the issue of this licence. If you require information or assistance about them, contact the Environment Agency, and you will be directed to the right person to help you.

For advice about planning permission contact your local planning authority.

Offences

This impounding licence authorises you, the licence holder, to obstruct or impede the flow of a specified inland water at a specified point by means of impounding works.

"Impounding works" means either, any dam, weir or other works by which water may be impounded; or, any works for diverting the flow of waters in connection with the construction or alteration of such dam, weir or other works.

Under the Water Resources Act 1991 it is an offence to construct or alter, or cause or permit any other person to construct or alter, any impounding works in inland waters or cause or permit the flow of any inland waters to be impeded or obstructed at any point by means of impounding works unless:

- an impounding licence is in force;
- the flow of the inland waters is not obstructed or impeded except to the extent and in the manner authorised by a licence;
- any other requirements of the licence, whether as to provision of compensation water or otherwise, are complied with.

It may be an offence not to comply with the other legal requirements mentioned above. For details, check with the Environment Agency or the authority concerned.

Right of appeal

If you are dissatisfied with our decision on your licence application, you have the right to appeal against our decision.

You should write to the Secretary of State for the Environment, Food and Rural Affairs, care of The Planning Inspectorate at:

Environment Appeals
The Planning Inspectorate
3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Alternatively you can obtain an online appeal form at:

<https://www.gov.uk/government/publications/water-abstraction-and-impoundment-appeal-form>

You must serve notice of appeal within 28 days of the date of receipt of this licence (although the Secretary of State has power to allow a longer period for serving notice of appeal). See [Water Resources Act 1991, section 43](#)

Disclosure of Information

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, except in special cases (for advice please contact us at the address shown on the front page of the licence).

Members of the public are also entitled to ask us for other "environmental information" we hold, 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. 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.

Licence Serial No:	SW/048/0191/009
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Please quote the serial number in all correspondence about this licence



LICENCE TO IMPOUND WATER

The Secretary of State for the Environment, Food and Rural Affairs is hereby deemed to grant this licence to:-

Environment Agency ("the licence holder")
 Horizon House
 Deanery Road
 Bristol
 BS1 5AH

This licence authorises the licence holder to obstruct or impede the flow of the inland water described in the schedule of conditions (to extent and manner authorised by those conditions) to this licence and subject to the provisions of that Schedule.

The licence commences from the effective date shown below.

Signed..... **Date of issue** <day/month/year>

<insert name> **Date effective** <day/month/year>

Deputy Director of Water Resources

Environment Agency
 Horizon House
 Deanery Road
 Bristol
 BS1 5AH

This licence should be kept safe and its existence disclosed on any sale of the land and the impounding works to which it relates.

Note: References to "the map" are to the map which forms part of this licence.
 References to "the Agency" are to the Environment Agency or any successor body.

SCHEDULE OF CONDITIONS

1. NAME AND/OR DESCRIPTION OF INLAND WATER TO BE IMPOUNDED

1.1 Inland water known as the Par St Blazey Stream at Par, St Blazey, Cornwall.

2. POINT OF IMPOUNDMENT

2.1 At National Grid Reference SX 07497 53505 marked 'A' on the map.

3. MANNER AND EXTENT OF IMPOUNDMENT

3.1 The Licence Holder shall construct a 1,000mm x 800mm frame mounted aluminium stoplog weir with stainless steel stoplog support frames (IBS engineered products or similar) with a channel crest set at 1.67 mAOD supported by staggered, interlocking channel bagwork constructed from Soluform Concrete filled bags or similar, in accordance with the submitted plans:

- Par St Blazey Fish and Eel Pass – General Arrangement & Hazard Plan – ENVIMSW002205-ATK-00-4XX-DR-C-000001 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Weir Structure Detail – ENVIMSW002205-ATK-00-4XX-DR-C-000007 – Revision C03, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Track Support Zone Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000008 – Revision C01, dated 11/08/23,
- Par St Blazey Fish and Eel Pass – Network Rail Zone of Influence Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000009 – Revision C01, dated 11/08/23,

copies of which are appended to this licence document, or such minor amendments to these documents that are accepted in writing by the Agency prior to the date of commencement of construction.

4. FURTHER CONDITIONS

4.1 The Licence Holder shall maintain such impounding works to prevent leakage and to be free of obstruction at all times and remain effective at all times.

4.2 The Licence Holder shall ensure that during construction works and any subsequent maintenance works to the impoundment authorised by this licence that the flow in the Par St Blazey Stream is allowed to pass downstream unchanged in quantity and quality at all times.

4.3 The Licence Holder shall notify the Agency in writing 14 calendar days inclusive before the commencement of construction of the works authorised by this licence.

4.4 (i) The Licence Holder shall provide written confirmation (including drawing/s that clearly detail and show the impounding works as it has been built) to the Agency from an independent qualified civil engineer, or other suitably qualified person, that the impounding works has been constructed in accordance with the submitted specification and drawings specified in condition 3.1 of this licence (or such minor amendments to these documents that have been accepted in writing by the Agency).

(ii) The Licence Holder shall provide the written confirmation referred to above at least 14 calendar days before the impounding works is commissioned or becomes operational.

(iii) The Licence Holder shall not operate the impounding works unless such confirmation has been submitted and written approval has been given by the Agency.

4.5 This licence shall cease to be of any effect if the impounding works authorised by it have not commenced by XXX 2028.

DRAFT

ADDITIONAL INFORMATION

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

REASONS FOR CONDITIONS

Condition 3.1 has been specified to ensure that the impoundment is constructed and maintained in accordance with the approved plans and drawings.

Condition 4.2 has been included to ensure an appropriate flow in the Par St Blazey Stream is maintained while the impoundment is constructed or while maintenance work is carried out.

Condition 4.4 has been included to ensure Licence Holder informs the Agency the impoundment has been built, confirm the 'as-built' specifications and to ensure that it is acceptable to commence operation.

Condition 4.5 is a 'self-destruct' condition meaning that the licence will cease to be of effect if the construction works have not commenced within 3 years of the date of issue. This is in order to secure the proper use of water resources.

IMPORTANT NOTES

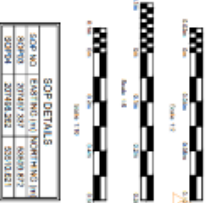
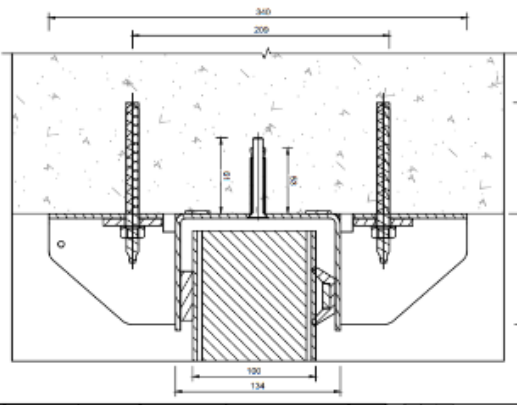
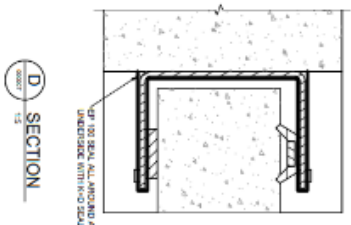
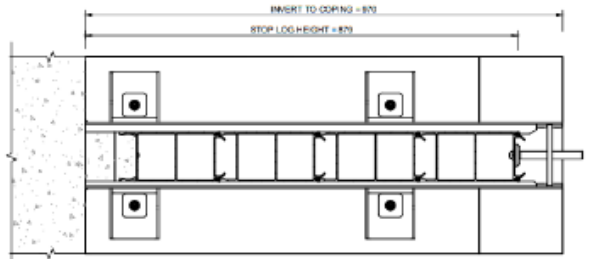
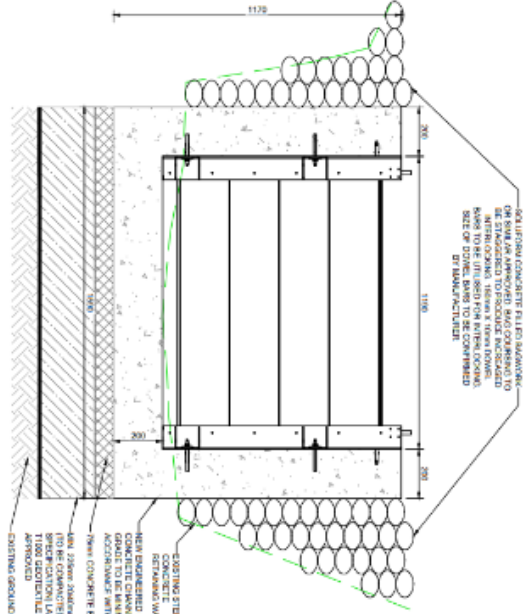
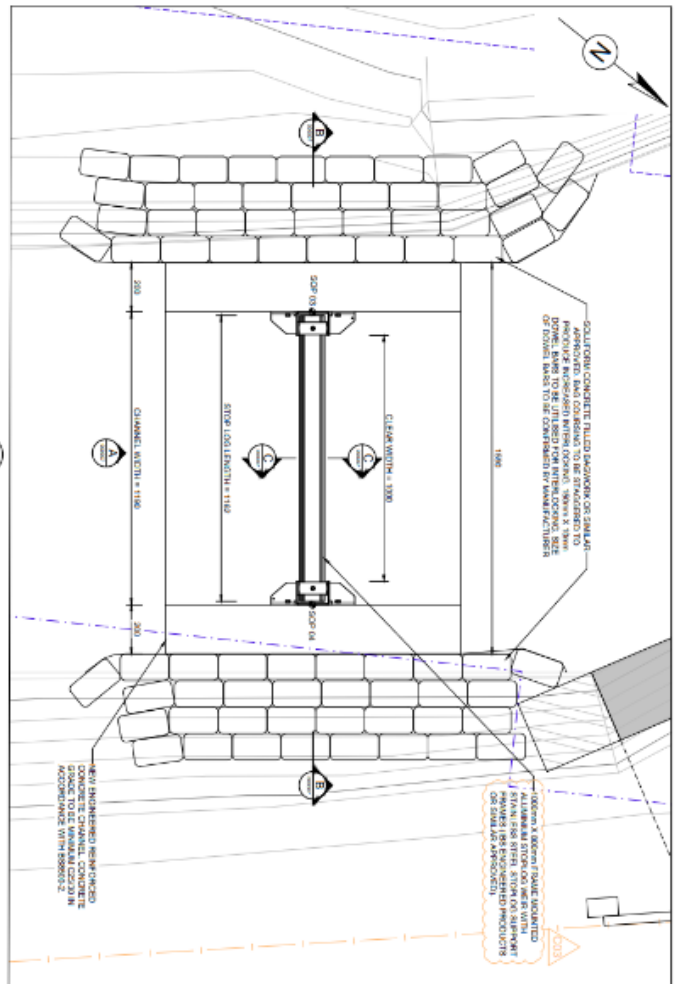
This impoundment licence enables a flow of water from the Par St. Blazey Stream to the Par River via an eel pass authorised under Licence Serial No. SW/048/0191/012, which should be referred to accordingly.

Eel passes

The Agency may have regard to its best practice guide, the Eel Manual: Elver & eel Passes (or equivalent guidance) in agreeing where, how and what type of eel pass should be installed and together with the results of any monitoring in determining whether the eel pass is properly effective and maintained, and in judging whether it is necessary to require repair or replacement of the eel pass.

Contact details

For the purpose of conditions 4.3, 4.4 (i) and 4.4 (ii) the licence holder shall send notifications and the report (with as built drawings) to the Integrated Environment Planning Team at IEPPDEVONandCORNWALL@environment-agency.gov.uk.



NOTES:

- DESIGN A REINFORCED CONCRETE ALUMINUM STRONG FIBRE WITH STAIN RESISTANT STAIN OR SURFACE TREATMENT TO BE PROVIDED TO PROTECT EXPOSED REINFORCEMENT FROM CORROSION.
- DESIGN B REINFORCED CONCRETE ALUMINUM STRONG FIBRE WITH STAIN RESISTANT STAIN OR SURFACE TREATMENT TO BE PROVIDED TO PROTECT EXPOSED REINFORCEMENT FROM CORROSION.
- DESIGN C REINFORCED CONCRETE ALUMINUM STRONG FIBRE WITH STAIN RESISTANT STAIN OR SURFACE TREATMENT TO BE PROVIDED TO PROTECT EXPOSED REINFORCEMENT FROM CORROSION.
- DESIGN D REINFORCED CONCRETE ALUMINUM STRONG FIBRE WITH STAIN RESISTANT STAIN OR SURFACE TREATMENT TO BE PROVIDED TO PROTECT EXPOSED REINFORCEMENT FROM CORROSION.
- DESIGN E REINFORCED CONCRETE ALUMINUM STRONG FIBRE WITH STAIN RESISTANT STAIN OR SURFACE TREATMENT TO BE PROVIDED TO PROTECT EXPOSED REINFORCEMENT FROM CORROSION.

DO NOT SCALE

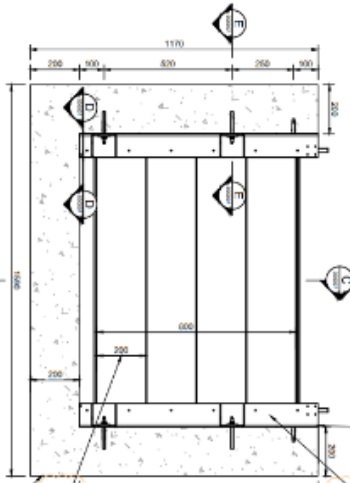
LEGEND:

- EXISTING DISCARD LEVEL
- MARKER CONTROL
- INTERIOR PAINT ZONE OR POLYURETHANE FINISH
- FINISH

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

This project is a major construction project involving the construction of a weir structure. The project involves the use of heavy machinery and materials, and the potential for noise, dust, and vibration. The project also involves the excavation and removal of existing structures and the construction of new structures. The project is located in a sensitive area and the construction activities may have an impact on the environment. The project is subject to the following conditions:

- The project must be carried out in accordance with the approved plans and specifications.
- The project must be carried out in accordance with the approved schedule of works.
- The project must be carried out in accordance with the approved environmental management plan.
- The project must be carried out in accordance with the approved safety and health plan.
- The project must be carried out in accordance with the approved noise and vibration control plan.



NO	DESCRIPTION	DATE	BY	CHKD BY
001	FOR INFORMATION	20/08/2025	SM	SM
002	FOR INFORMATION	20/08/2025	SM	SM
003	FOR INFORMATION	20/08/2025	SM	SM
004	FOR INFORMATION	20/08/2025	SM	SM
005	FOR INFORMATION	20/08/2025	SM	SM

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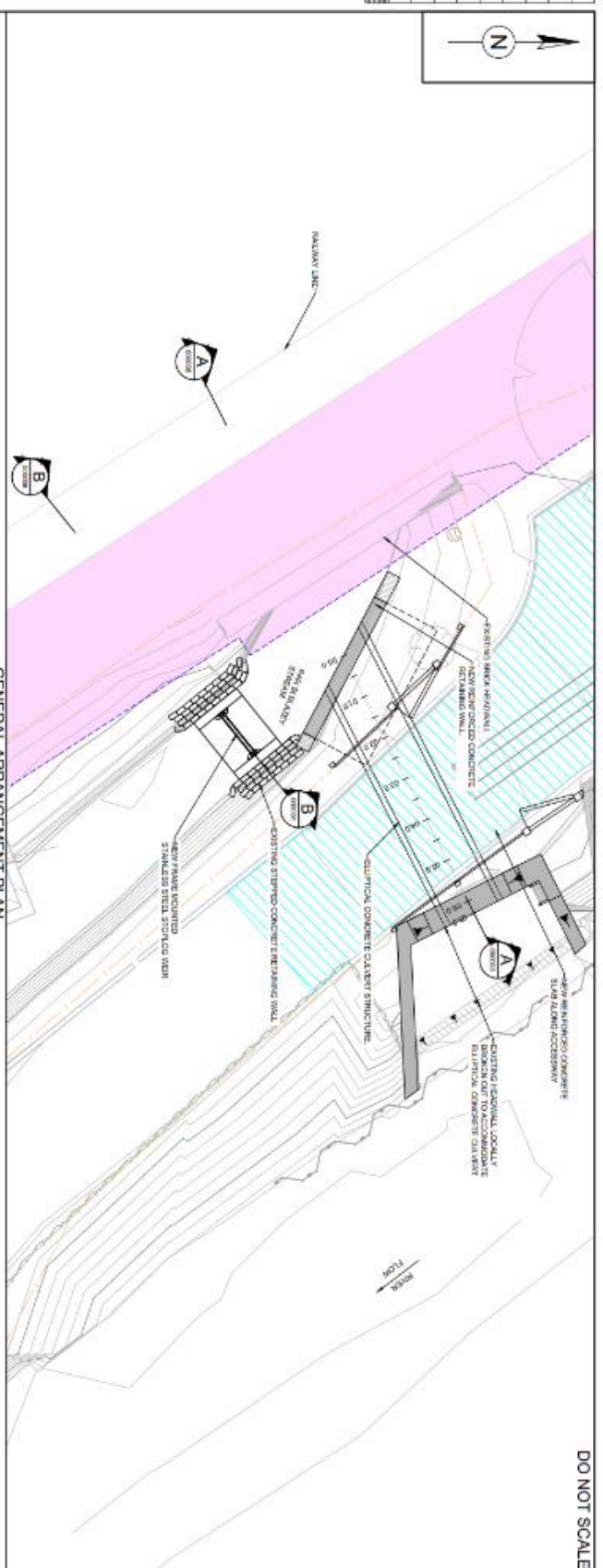
Environment Agency

PAR ST BLAZEY ADDITIONAL WORKS

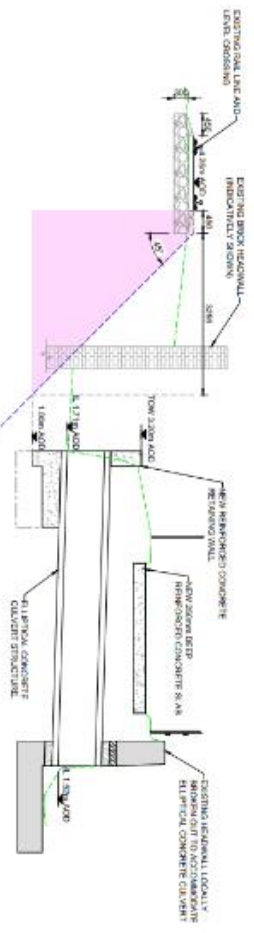
PAR ST BLAZEY FISH AND EEL PASS WEIR STRUCTURE DETAIL

Contract Number: ERM/MSW022025-ATK-01-4X-DR-C-00007

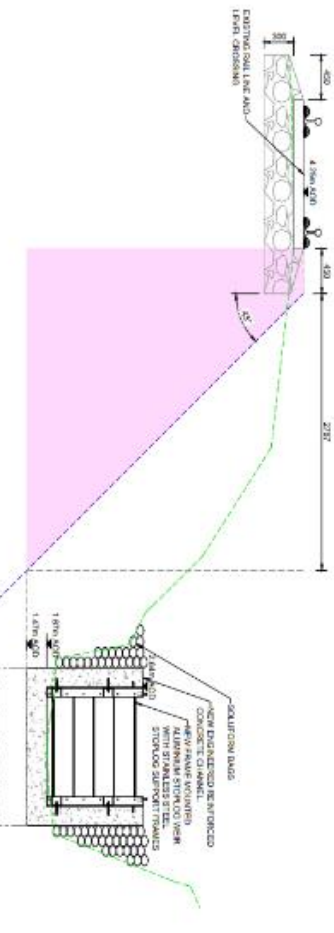
Revision: C03



GENERAL ARRANGEMENT PLAN
SCALE 1:50



A SECTION ACROSS CULVERT
SCALE 1:5



B SECTION ACROSS WEIR
SCALE 1:5

LEGEND:

	TRACK SUPPORT ZONE
	WEIR SLAB
	WEIR CONTOUR
	TRACK SUPPORT ZONE EXTENT
	EXISTING TRACE
	EXISTING (OR PROPOSED) EXCAVATION TO BOTTOM OF TIE 1

DO NOT SCALE

SAFETY, HEALTH AND ENVIRONMENTAL CONSIDERATION

- A. RISK OF POLLUTION TO THE EXISTING HEADWALL
- B. RISK OF POLLUTION TO THE LANDSCAPE
- C. RISK OF POLLUTION TO THE ENVIRONMENT
- D. RISK OF POLLUTION TO THE WEIR
- E. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- F. RISK OF POLLUTION TO THE WEIR
- G. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- H. RISK OF POLLUTION TO THE WEIR
- I. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- J. RISK OF POLLUTION TO THE WEIR
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- L. RISK OF POLLUTION TO THE WEIR
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- N. RISK OF POLLUTION TO THE WEIR
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- Q. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- R. RISK OF POLLUTION TO THE WEIR
- S. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- T. RISK OF POLLUTION TO THE WEIR
- U. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- V. RISK OF POLLUTION TO THE WEIR
- W. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- X. RISK OF POLLUTION TO THE WEIR
- Y. RISK OF POLLUTION TO THE TRACK SUPPORT ZONE
- Z. RISK OF POLLUTION TO THE WEIR

NOTES:

1. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER DRAWINGS, SPECIFICATIONS, CONDITIONS AND ALL LIAISON AND CONTRACT DOCUMENTS.
2. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER DRAWINGS, SPECIFICATIONS, CONDITIONS AND ALL LIAISON AND CONTRACT DOCUMENTS.
3. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER DRAWINGS, SPECIFICATIONS, CONDITIONS AND ALL LIAISON AND CONTRACT DOCUMENTS.
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NO.	DESCRIPTION	DATE	BY	APP.
001	FOR CONSTRUCTION	08/11/2023	AV	AV

Published Design Stage Files

AA	AA
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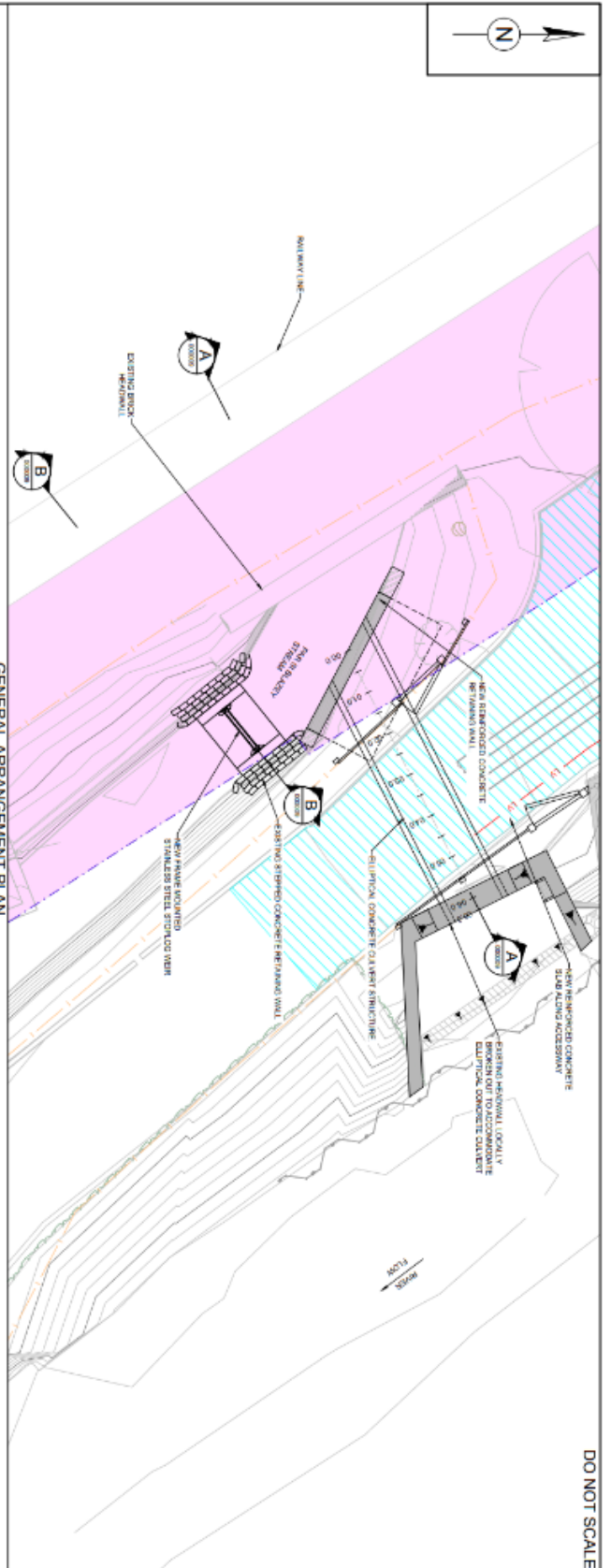
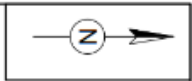
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Environment Agency

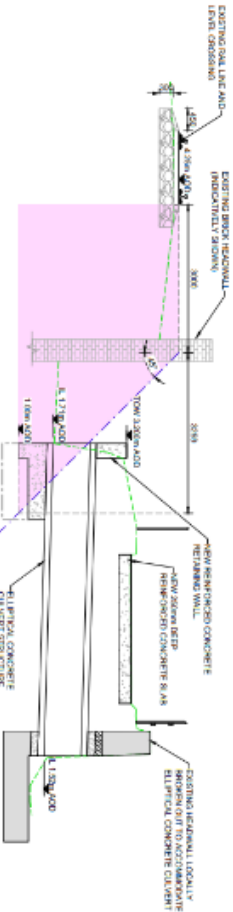
PAR ST BLAZEY ADDITIONAL WORKS

PAR ST BLAZEY FISH AND EEL PASS TRACK SUPPORT ZONE PLAN AND SECTIONS

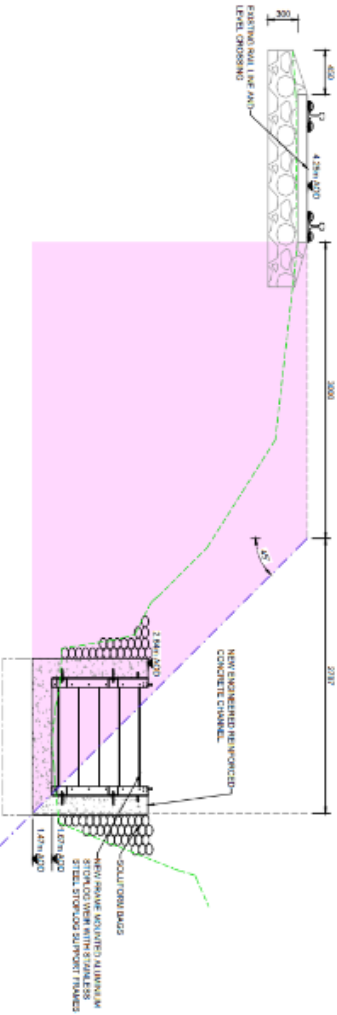
NO.	DESCRIPTION	DATE	BY	APP.
001	FOR CONSTRUCTION	08/11/2023	AV	AV



GENERAL ARRANGEMENT PLAN
SCALE 1:50



SECTION A-A ACROSS CULVERT
SCALE 1:25



SECTION B-B ACROSS WEIR
SCALE 1:25

LEGEND:

[Pink hatched area]	NETWORK RAIL ZONE OF INFLUENCE
[Blue hatched area]	M&E SLAB
[Green hatched area]	MAINTENANCE EARTHEN
[Blue dashed line]	MAINTENANCE CONTROL
[Red dashed line]	NETWORK RAIL ZONE OF INFLUENCE EXTENT
[Black dashed line]	EXISTING FENCE
[Black dashed line]	EXISTING GROUND PROFILE
[Black dashed line]	EXPLANATION TO SECTION OF TYPE 1

DO NOT SCALE

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the standard safety associated with the type of work shown on this drawing, the following information should be observed:

CONSTRUCTION:

- 1. RISK OF COLLISION TO THE AIRBORNE CABLES.
- 2. RISK OF FALLOUT TO THE AIRBORNE CABLES.
- 3. RISK OF EXHAUSTION DURING EXCAVATION WORK.
- 4. RISK OF STRIKING UNDERGROUND SERVICES AND UTILITIES.
- 5. RISK OF EXHAUSTION DUE TO HEAVY FLOODING.
- 6. RISK OF COLLISION WITH AIRBORNE CABLES DUE TO WORKING OVER OR NEAR WATER.
- 7. RISK OF WORKER INJURY AND ILLNESS.
- 8. RISK OF WORKER INJURY AND ILLNESS DUE TO MAINTENANCE EARTHEN.
- 9. RISK OF WORKER INJURY AND ILLNESS DUE TO MAINTENANCE EARTHEN.

MAINTENANCE EARTHEN:

- 1. RISK OF COLLISION WITH AIRBORNE CABLES DUE TO WORKING OVER OR NEAR WATER.
- 2. RISK OF EXHAUSTION DURING EXCAVATION WORK.
- 3. RISK OF STRIKING UNDERGROUND SERVICES AND UTILITIES.
- 4. RISK OF EXHAUSTION DUE TO HEAVY FLOODING.
- 5. RISK OF COLLISION WITH AIRBORNE CABLES DUE TO WORKING OVER OR NEAR WATER.
- 6. RISK OF WORKER INJURY AND ILLNESS.
- 7. RISK OF WORKER INJURY AND ILLNESS DUE TO MAINTENANCE EARTHEN.
- 8. RISK OF WORKER INJURY AND ILLNESS DUE TO MAINTENANCE EARTHEN.

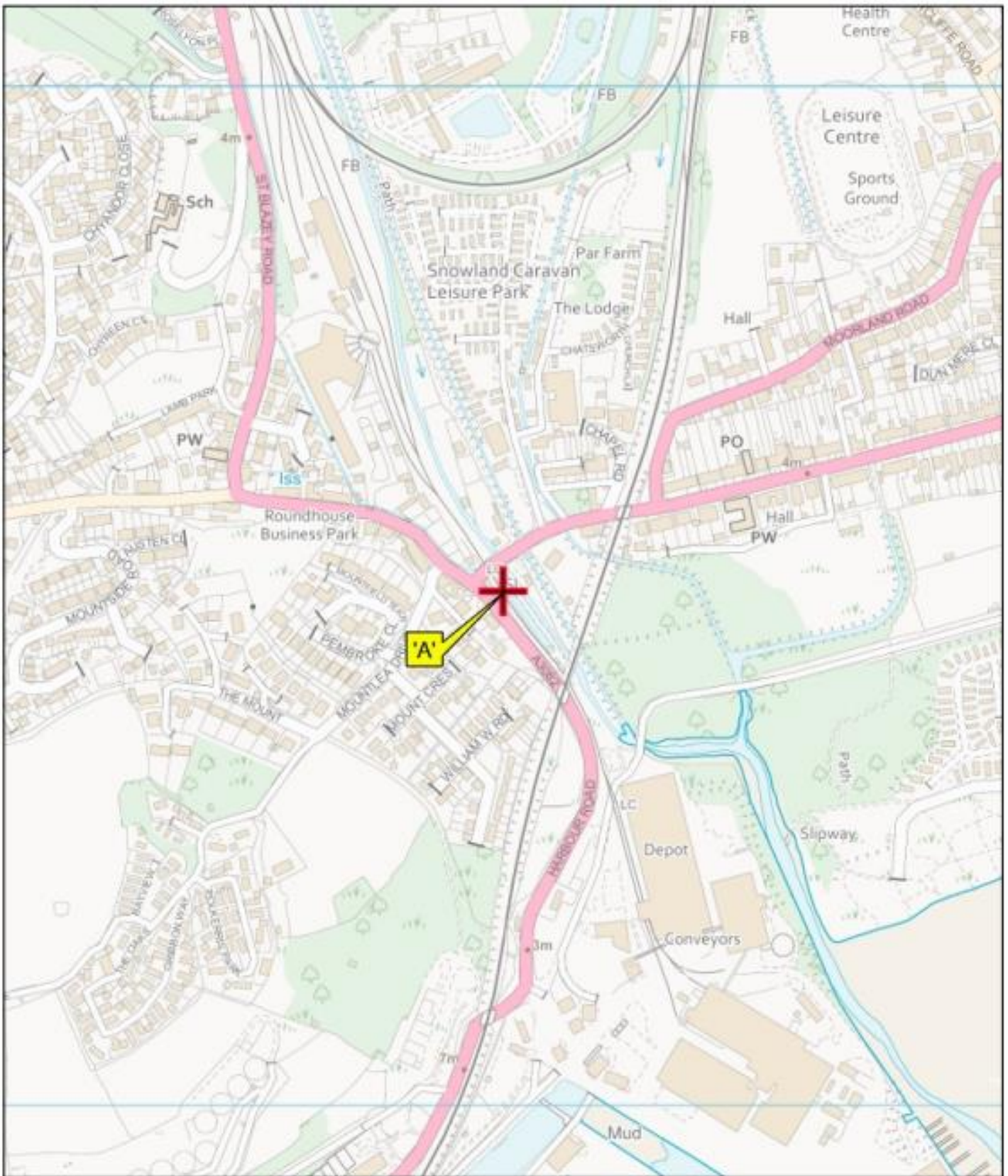
DECOMMISSIONING/DEMOLITION:

- 1. RISK OF COLLISION WITH AIRBORNE CABLES DUE TO WORKING OVER OR NEAR WATER.
- 2. RISK OF EXHAUSTION DURING EXCAVATION WORK.
- 3. RISK OF STRIKING UNDERGROUND SERVICES AND UTILITIES.
- 4. RISK OF EXHAUSTION DUE TO HEAVY FLOODING.
- 5. RISK OF COLLISION WITH AIRBORNE CABLES DUE TO WORKING OVER OR NEAR WATER.
- 6. RISK OF WORKER INJURY AND ILLNESS.
- 7. RISK OF WORKER INJURY AND ILLNESS DUE TO MAINTENANCE EARTHEN.
- 8. RISK OF WORKER INJURY AND ILLNESS DUE TO MAINTENANCE EARTHEN.

NOTES:

1. THIS DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER ENGINEERING DRAWINGS.
2. ALL DIMENSIONS ARE IN METRES AND ALL LEVELS ARE OTHERWISE STATED.
3. THE POSITION OF ANY EXISTING PUBLIC OR PRIVATE SERVICES TO BE DISCONNECTED OR REMOVED IS SHOWN ON THE DRAWING AND IS TO BE CONFIRMED BY THE CONTRACTOR. IF NO WORKMANSHIP IS BELIEVED TO BE CONNECTED, IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THIS BY VISUAL INSPECTION AND/OR BY USING APPROPRIATE METHODS. THE CONTRACTOR IS TO NOTIFY THE DESIGNER IMMEDIATELY IF ANY SERVICES ARE FOUND TO BE CONNECTED TO THE DRAWING.
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<p>ATKINS</p> <p>200 Park Avenue London W1K 7RQ Tel: +44 (0)20 7140 0000 Fax: +44 (0)20 7140 0000 www.atkinsglobal.com SIC 44180 (2021)</p>		<p>Environment Agency</p>	
<p>Published Design Stage Files</p> <p>File Name: 001 11/09/23 FROM CONSTRUCTION File No: 001 File Size: 1.00 MB</p>		<p>Project Title: PARSIT BLAZEY FISH AND EEL PASS NETWORK RAIL ZONE OF INFLUENCE PLAN AND SECTIONS</p> <p>Project No: 11/09/23</p> <p>Project Ref: 11/09/23</p> <p>Project Code: 11/09/23</p> <p>Project Date: 11/09/23</p> <p>Project Status: 001</p>	



**MAP ACCOMPANYING LICENCE NUMBER
SW/048/0191/009**

Scale 1:5,000



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Determination Report

Report under the Water Resources Act 1991 (as amended) and the Environment Act 1995 of an application for a new transfer licence and a new impoundment licence.

Executive Summary

The Secretary of State for the Environment, Food and Rural Affairs is deemed to have granted this application in accordance with section 64 of the Water Resources Act 1991.

In determining this application, the Environment Agency has exercised its duties and powers under the Water Resources Act 1991 (as amended) and the Environment Act 1995.

1. **Summary of the proposal**

These are Environment Agency (EA) own applications for two new licences, a transfer licence to install and provide flows to a new eel pass and an impoundment licence to support flow through the eel pass. This is part of a series of works that have been identified following completion of the Water Framework Directive (WFD) assessment undertaken in 2022.

The aim of the scheme is to construct an elliptical culvert to direct flow from the Par St Blazey Stream to the Par River at St Blazey, Cornwall. The flows within the Par St Blazey Stream currently go directly into the St Blazey pumping station, approximately 70m downstream, where they are then pumped into the Par River. The aim of the new culvert is to enable safe downstream migration of eel (away from the pumping station and into the Par River) and to minimise low flows that would otherwise flow into the pumping station downstream of the Par St Blazey Stream; thereby reducing the need for frequent operation of the pumps. The culvert will be an elliptical concrete structure of internal diameter 1150mm wide x 750mm high and cross-sectional area of 0.68m². The impoundment will be in the form of a small stop log weir constructed within the Par St Blazey Stream, just downstream of the culvert opening, to help redirect the flow towards the culvert. This will comprise of stop logs of adjustable height to suit the prevailing flow

conditions. The proposed works have the potential for local biological improvements to the water body via improved connectivity and would contribute to meeting WFD Mitigation Measures with regard to the passage of migratory and non-migratory fish, prevent/reduce fish entrapment and downstream flow regime.

The abstraction will be non-consumptive, with the water abstracted being discharged back into the Par River at SX 07515 53503.

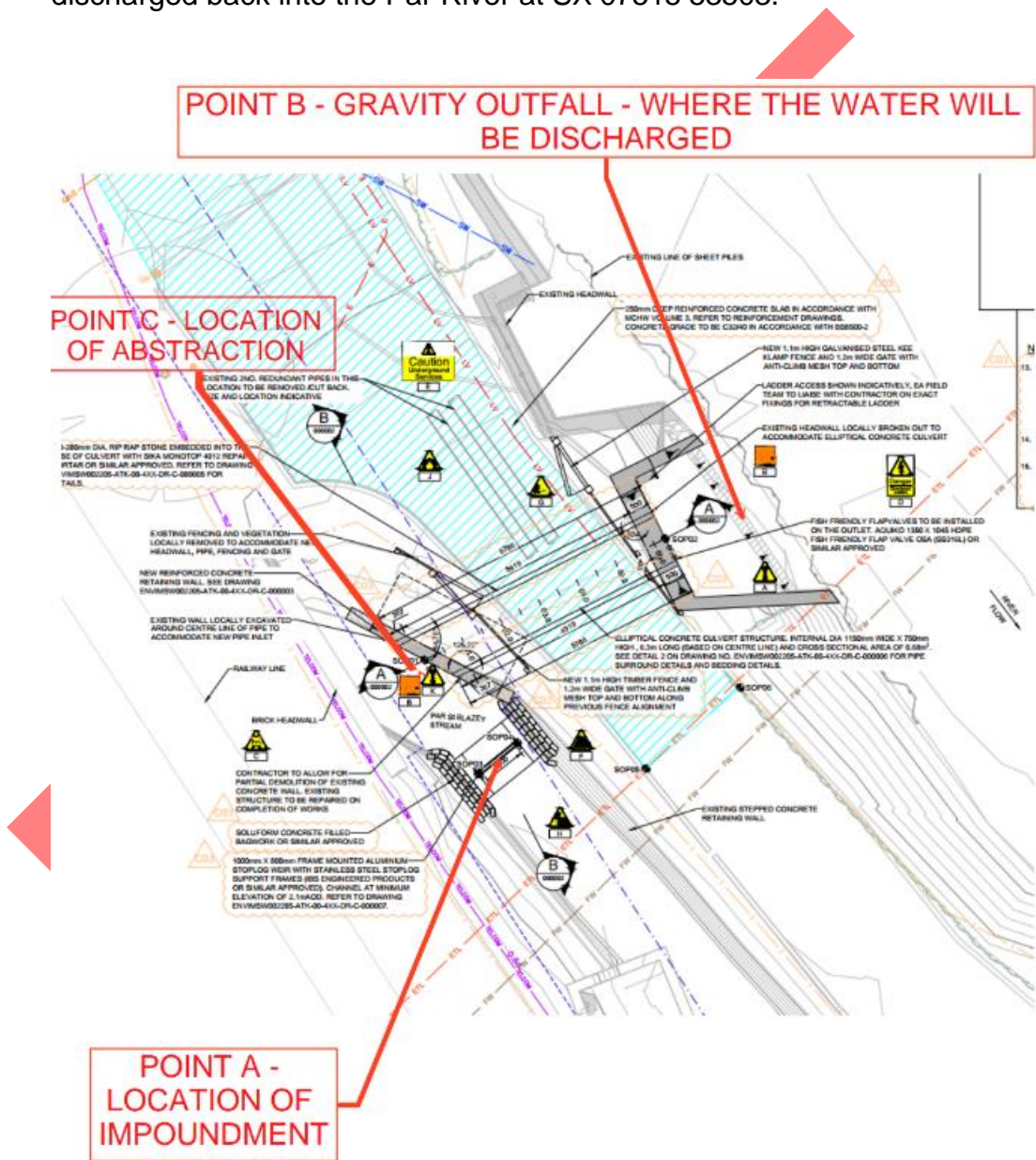


Diagram 1 – Plan with abstraction point, discharge point and location of impoundment.

1.1.

1.2. **Departures from application forms**

There have been no departures from the application forms.

1.3. **Details of proposal**

Administrative details	
New licence number	Transfer licence: SW/048/0191/012 Impoundment licence: SW/048/0191/009
Application reference number	Transfer licence: NPS/WR/042596 Impoundment licence: NPS/WR/040145
Applicant name and address	Environment Agency Horizon House Deanery Road Bristol BS1 5AH
Application contact details	Daniel Boswell 02030 252206 daniel.boswell@environment-agency.gov.uk
Hydrometric catchment	Par C048016A
Agency Area	Devon and Cornwall
Administratively complete date	26/06/2024
Relevant date	09/07/2024
Determination date	No statutory determination date for Environment Agency applications.
Agreed extended determination date	N/A
Applicant entitled to apply	Right of access in place
Supplementary reports	The following supplementary report was submitted: Environmental Action Plan

Abstraction details – Transfer licence: SW/048/0191/012

Location of abstraction	Par St Blazey Stream
-------------------------	----------------------

Abstraction details – Transfer licence: SW/048/0191/012	
Source of supply	Inland water known as the Par St Blazey Stream at St Blazey, Cornwall
Point of abstraction	SX 07505 53498
Purposes of abstraction	Transfer for the purpose of an eel pass
Period of abstraction	All year
Quantities and rates	<p>For assessment purposes only – not specified on transfer licences:</p> <p>140 m³/hr. 3,300 m³/d. 1,200,000 m³/yr. 38 l/s</p>

Impoundment details – Impoundment licence: SW/048/0191/009	
Name and/or description of inland water to be impounded	Inland water known as the Par St Blazey Stream at St Blazey, Cornwall
Point of impoundment	SX 07497 53505
Manner and extent of impoundment	<p>The Licence Holder shall construct a 1000mm x 800mm frame mounted aluminium stoplog weir with stainless steel stoplog support frames (IBS engineered products or similar approved).</p> <p>The new channel will be constructed of reinforced concrete with a minimum concrete grade of C25/30 in accordance with BS8500-2. The channel will be at a minimum elevation of 1.67 metres Above Ordnance Datum (mAOD).</p> <p>The bank of the weir will be constructed from Soluform Concrete filled bagwork or similar approved. The bag coursing will be staggered to produce increased interlocking, 150mm x 10mm dowel bars will be utilised for interlocking. The size of the dowel bars.</p> <p>The Licence Holder shall construct the impounding works in accordance with the specification and drawings:</p>

Impoundment details – Impoundment licence: SW/048/0191/009	
	<p>Par St Blazey Fish and Eel Pass – General Arrangement & Hazard Plan – ENVIMSW002205-ATK-00-4XX0DR-C-000001 – Revision C03, dated 11/08/23</p> <p>Par St Blazey Fish and Eel Pass – Weir Structure Detail – ENVIMSW002205-ATK-00-4XX-DR-C-000007 – Revision C03, dated 11/08/23</p> <p>Par St Blazey Fish and Eel Pass – Track Support Zone Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000008 – Revision C01, dated 11/08/23</p> <p>Par St Blazey Fish and Eel Pass – Network Rail Zone of Influence Plan and Sections – ENVIMSW002205-ATK-00-4XX-DR-C-000009 – Revision C01, dated 11/08/23</p> <p>or such minor amendments to these documents that are accepted in writing by the Agency prior to the date of commencement of construction.</p>
Further conditions	None applied for

2. Case history

This is a new application and therefore there is nothing of relevance to document.

3. Justification of requirements

Currently the Par St Blazey stream flows directly into the St Blazey pumping station which then discharges water into the River Par. There is no safe passage for eels to move between the St Blazey Stream and the Par River.

The new culvert will enable safe downstream migration of eel, away from the pumping station and into the Par River. An added benefit will be minimising low flows in the Par River that currently flow into the pumping station

As the eel pass will contribute towards WFD improvement; the abstraction quantities are based on the amount of water needed for eels to successfully travel through the pass; and abstraction will be non-consumptive, returning all water back to the River Par, the application is considered justified.

In line with policy guidance, the abstraction will be authorised via a Transfer Licence. It is not necessary or appropriate in this case to include quantities on the licence. Quantities as described in this report and in the Public Notice are included for reference and interest only.

3.1. Water efficiency

The transfer of water through the eel pass channel will be a non-consumptive activity, returning all water abstracted back to the Par River. The culvert is designed to operate at low flows reducing the operational range of the St Blazey Pumping station. The proposed culvert is to be fitted with a 'fish-friendly' non-return flap on the River Par side and therefore no new flow route will be activated from elevated flood levels in the River Par itself. The impoundment has been designed to allow water levels to be maintained and eel passage to occur. The applicant will be responsible for the continued maintenance, repair or replacement of these structures to ensure they remain effective at all times. The eel pass design has been approved by the Environment Agency, ensuring the pass is effective for the relevant eel species and will therefore be using the water efficiently. The Agency is therefore satisfied that all reasonable methods are in place to ensure water will be used efficiently.

4. Advertising

Application was advertised	
Date when advertised	
Name of newspaper	
Representations were received and these are addressed in section 4.1. <or> No representations were received.	

As the application was advertised, Statutory Notification was served to:

Statutory Bodies	Date
Internal Drainage Board (IDB)	N/A

Statutory Bodies	Date
Navigation Authority (NA)	N/A
Harbour Authority (HA)	N/A
Conservancy Authority (CA)	N/A
Statutory Water Undertaker (SWU)	
South West Water	

4.1. Representations and decision document

<Choose between the below options and/or edit as needed.>

< <<X>> representations were received and no decision statement is required.>

<No representations were received and no decision statement is required.>

<More than 10 representations were received so a decision statement has been published to Gov.uk website on <<date>>.>

<As a result of refusing this application a decision statement has been placed on Gov.uk website on <<date>>. >

5. External consultation

It was not necessary to consult external bodies about this proposal. In considering this proposal we considered the depleted reach between the transfer and discharge points and any off-site impacts from the transfer of water and the impoundment of water on designated sites upstream to the source of any connected waterbodies.

There are no designated sites within the depleted reach and all water for the Eel pass is returned upstream of the Falmouth Bay to St Austell Bay SPA. The only upstream site is the Mid Cornwall Moor SSSI and the citation does not list European Eel.

Therefore, we concluded that there is no mechanism or pathway for impact for either of these sites.

6. Technical assessment of the proposal

Licensing Strategy:

The abstraction point is within the Par River AP1 in the Fal and St Austell Streams Abstraction Licensing Strategy (ALS).

The water availability is as follows:

Q Percentile	Water Resources availability colour	Water resource status
Q30	Green	Water available
Q50	Green	Water available
Q70	Green	Water available
Q95	Green	Water available

Therefore, if this were an abstraction of water, water would be available at least 95% of the time for consumptive abstraction. However, this is a non-consumptive transfer of water to allow safe eel passage and therefore the availability of water is not of concern.

Water Framework Directive (WFD) status information

The proposal will be assessed against the WFD status throughout sections 6.2 to 6.7 below.

This is a surface water abstraction that is within surface waterbody Par River (Lower) GB108048002290. It is classed as a Heavily Modified water body.

Consideration	Status		
	Baseline status (2019)	Cycle 3 current status (2022)	Cycle 3 Objective
Overall WB status	Moderate	Not assessed	Good by 2063
Ecological potential	Moderate	Moderate	Good by TBC
Fish	Moderate	Moderate	Good by 2015
Invertebrates	High	High	Good by 2015
Macrophytes	High	High	Good by 2015 (combined)

Consideration	Status		
	Baseline status (2019)	Cycle 3 current status (2022)	Cycle 3 Objective
Phytobenthos	Good	Good	Good by 2015 (combined)
Hydrological regime	Supports Good	Supports Good	Support good by 2015
Mitigation measures	Mod/less	Mod/less	Good by 2027
Physico-chemical	Moderate	Moderate	Good by TBC
Chemical	Fail	DRNA	Good by 2063

Reasons For Not Achieving Good (RFNAG)

Physico-chemical element failing due to Ammonia attributed to:

- Contaminated land - Waste treatment, transfer, storage and disposal
- Farm/site infrastructure - Agriculture and rural land management/Agriculture – Livestock
- Private sewage treatment - Industry, Manufacturing and other Business/Not applicable
- Sewage discharge (continuous) - Water Industry/Waste water treatment

Fish element failing due to:

- Ammonia, Sewage discharge (continuous) – Water industry
- Specific pollutants/copper, Active Mine - Mining and Quarrying
- Other, Incidents - Mining and Quarrying

Chemical element failing due to:

- Mercury and Its Compounds - measures delivered to address reason, awaiting recovery
- Phosphate
 - Poor livestock management - Agriculture and rural land management/Agriculture – Livestock
 - Poor nutrient management - Agriculture and rural land management/Agriculture – Livestock
 - Sewage discharge (continuous) - Water Industry/Waste water treatment
- Polybrominated diphenyl ethers (PBDE) - measures delivered to address reason, awaiting recovery

We have considered the RFNAG of the affected waterbody and have no concerns about this application aggravating the causes of failure.

6.1. Designated and protected conservation sites and species

Nearest conservation sites		
Designation type	Name of feature	Distance and direction
Special Protection Areas (SPAs)	Falmouth Bay to St Austell Bay (OID:129528)	0.50km d/s from '1'
Local Nature Reserves (LNRs)	PAR BEACH AND ST ANDREWS ROAD (OID:224647)	0.29km d/s from '1'
Local Wildlife Sites (LWSs)	Polmear Lake and Par Sands (OID:263237)	0.40km d/s from '1'
Protected Species	European Eel migratory route (OID:3917081)	0.02km d/s from '1'
	Atlantic Salmon migratory route (OID:3923087)	0.02km d/s from '1'
Protected Habitats	Deciduous woodland (OID:3505279, 3574256)	0.13km d/s from '1'
	Coastal and floodplain grazing marsh (OID:3251413, 4045294)	0.13km d/s from '1'
	Coastal sand dunes (OID:3270105)	0.40km d/s from '1'

This application has been screened using the Water Resources Screening Tool (WRST) and lists of designated and protected conservation sites and species are shown within the output report.

The designated and protected conservation sites and species within the WRST results have been considered within this determination. Where there was a risk of impact we have discussed this in sections 6.2 to 6.7.

6.2. Hydrology and impact on flows

The published ALS contains background information on the relevant catchments.

The current pumping station structure does not allow for the free passage of eels in the Par St Blazey Stream. The abstraction will be non-consumptive and all

water will be returned to the Par River approximately 70m upstream from where the pumping station currently discharges into the River Par. The impoundment will encourage flow through the eel pass to allow for migration.

The culvert is designed to operate at low flows reducing the operational range of the St Blazey Pumping Station. This assumes that the culvert can freely be discharged into the River Par under 'normal' low flow conditions. The proposed culvert is to be fitted with a 'fish-friendly' non-return flap on the River Par side and therefore no new flow route will be activated from elevated flow or flood levels in the River Par itself. Once the level in the River Par is high enough, the flap will close shut and flow in the Par St Blazey Stream will overtop the stop log impoundment and the Pumping Station will start pumping under its current operational procedure for high or flood flows.

As a result, it is unlikely this proposal will have a significant effect on hydrology and flows.

6.3. Impact on water quality

The abstracted water will be wholly discharged into the Par River. Therefore, no change in water quality is expected and no deterioration to the water body's WFD status.

6.4. Impact on geomorphology

At low flows, the culvert will prioritise and provide additional flow in the Par River from the Par St Blazey Stream potentially providing a more 'natural' geomorphological (sediment movement) regime than currently. Less flow in the Par St Blazey Stream from the culvert to the Pumping Station (approx. 70 metres) may result in increased sedimentation, but high and flood flushing flows will still occur with the pumps moving sediment on as they currently do. We therefore do not expect this proposal to have any adverse impacts on Geomorphology.

6.5. Impact on ecology (including fish)

The Par St Blazey Stream has the potential to be a migratory route for the European Eel. Currently the Stream ends at a pumping station where water is pumped into the adjoining Par River and there is no mechanism for eel migration

between the two waterbodies. The eel pass and associated impoundment will allow the free passage of eels into the Par St Blazey Stream.

As this is a non-consumptive abstraction there are no perceived risks for any of the sites and species in the table in section 7.1.

As this is an eel pass, it will need to be compliant with the Eel (England and Wales) Regulations 2009.

6.6. Conservation of Habitats and Species Regulations 2017 and Wildlife and Countryside Act 1981

There are no designated sites within the area considered to be affected by the proposed eel pass and impoundment. There is a designated site 0.5km downstream of the structures, this being the Falmouth Bay to St Austell Bay SPA. However, as this abstraction is non-consumptive and all water is being returned to the Par River watercourse as currently, though 70 metres upstream, there is no potential for impact on this designated site and no assessments are considered necessary.

6.7. WFD summary impact statement

We are satisfied that in granting these licences there will be no deterioration in the status of the waterbody and we will support the achievement of the objectives for the waterbody.

6.8. Protected rights and lawful uses

No protected rights or lawful uses have been identified within the area affected by this proposal.

6.9. Other considerations

There are no concerns about flooding, archaeology, recreation/amenity, subsidence or desiccation.

6.10. Other permits that might be required or related to the proposal

Permits	Yes/No	Comments
Environmental permit for a discharge activity	No	

Permits	Yes/No	Comments
Flood Risk Activity Permit	Yes	For installation of the eel passage and stoplog weir. Permit number: EPR/HB3153GL
Other	None	

7. Assessment of likely Costs & Benefits of proposed approach

Water Resources/ The environment	The licence accords with local Water Resources policy and is sustainable.
The applicant	<p>The applicant will have to pay any advertising costs that apply.</p> <p>The applicant will incur the costs of installing and maintaining the impoundment and eel pass structure.</p> <p>The Agency is fulfilling its duty to ensure the protection of ecology and contributing towards achieving WFD objectives.</p>
The Agency	In determining the licence in accordance with the local and national policy, we are fulfilling our duties as a regulator.
The economic and social wellbeing of the rural community	No adverse effects on the social and economic wellbeing of local communities in the rural area or the beauty or amenity of urban or rural areas are perceived as a result of this proposal.

Alternative approaches considered

- (1) Refuse.
- (2) Grant as applied for by applicant.**
- (3) Grant with different terms than applied for by applicant.

Reason for choosing preferred approach over alternative approaches

(2) Grant as applied for by applicant. It was not reasonable to refuse this application as full consideration and due regard has been given to the surrounding environment and protected rights and uses that may have been affected with this proposal.

8. Time limit

Transfer Licence - We have applied the 'skipping' common end date principle so the transfer licence period is for greater than 12 years.

Impoundment Licence - A time limit has not been included because the licence applied for is to impound water.

9. Measurement of water abstracted

The applicant will not be required to measure their abstraction because this is a transfer licence and an impoundment licence and no quantities have been specified.

10. Special agreements

None

11. Enforcement – Criticality Class

The licence enforcement criticality level will be Less Critical because this is a non-consumptive transfer licence for the purpose of an eel pass and a fixed, static impoundment site where experience has shown that securing compliance is a relative formality.

12. Charging factors

Chargeable status

(a) Is the whole licence non-chargeable? (Yes / No)	Yes	
(b) Is one of the purposes with a specified authorised quantity non-chargeable? (Yes / No / N/A)	N/A	
(c) If (b) is 'Yes' specify purpose		
If 'Yes' to (a) or (b) identify non chargeable reason	EA is the licence holder	X
	Chloride Content	
	S125 electricity production up to 5MW	
	100% s126 Abatement	
	Temporary licence	
	Transfer licence	X
	Impounding licence	X

13. Other statutory duties

13.1. Section 4 Environment Act 1995 (pursuit of sustainable development)

We have considered whether additional requirements should be imposed in relation to our principal aim of contributing to attaining the objective of sustainable development under section 4 of the Environment Act 1995, the existing requirements are sufficient in this regard and no other appropriate requirements have been identified.

We have had regard to Government guidance issued under section 4(2) of the Act, namely *'The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance (December 2002)'*. Regarding the exercise of our water resources functions, we are required:

'To plan to secure the proper use of water resources by using strategic planning and effective resource management which takes into account environmental, social and economic considerations, and in particular:'

'To ensure that the abstraction of water is sustainable, and provides the right amount of water for people, agriculture, commerce and industry and an improved water-related environment; and to develop and maintain a framework of integrated water resources planning for the Agency and water users.' The principles of sustainable development and biodiversity are embodied in the conditions attached to the licences.

13.2. Section 6(1) Environment Act 1995 (conservation duties with regard to water)

We have considered our duty to promote the conservation and enhancement of the natural beauty and amenity of inland and coastal waters and the land associated with such waters, and the conservation of flora and fauna which are dependent on an aquatic environment and are satisfied that these proposals meet this duty. We have taken these factors into account through the process of screening for features of ecological and conservation value (sections 6.1, 6.3 and 6.5 of this report).

13.3. Section 6(2) Environment Act 1995

In reaching our decision we have taken all such action as we consider necessary or expedient for the purposes of conserving water resources, and securing their proper use (including the efficient use of those resources).

We have taken these factors into account by considering the justification of requirements and water efficiency, as set out in section 3 of this report.

13.4. Section 7 Environment Act 1995 (pursuit of conservation interests)

Section 7(1)(a) of the Environment Act 1995 places a duty on us, when considering any proposal relating to our functions, to exercise our functions so as to further the conservation and enhancement of natural beauty and the conservation of flora, fauna and geological or physiographical features of special interest. We have taken these factors into account through the process of screening for features of conservation value (sections 6.1, 6.3 and 6.5 of this report).

Section 7(1)(c) of the Environment Act 1995 places a duty on us to have regard to the desirability of protecting and conserving buildings, sites and objects of archaeological, architectural, engineering or historic interest and to take into account any effect which the proposals would have on the beauty or amenity of any rural or urban area, on any such flora fauna features buildings sites or objects, and any effect which the proposals would have on the economic and social well-being of local communities in rural areas.

We have had regard to these factors as indicated (amongst others) in above and consider that we have met these duties. We have taken these factors into account as indicated in section 6.9 and 7.0 above.

13.5. Section 8 Environment Act 1995 and Sections 28G and 28I Wildlife and Countryside Act 1981

Under section 28G of the Wildlife and Countryside Act 1981 we have a duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest (SSSI). We have taken these factors into account as indicated in section 6.6 above.

13.6. Section 39 Environment Act 1995

We have a duty under section 39 of the Environment Act 1995 to take into account the likely costs and benefits of granting the applications ('costs' being defined as including costs to the environment as well as any person). This duty, however, does not affect our obligation to discharge any duties imposed upon us in other legislative provisions. We have taken these factors into account as indicated in section 7.0 above.

13.7. Regulation 63 Conservation of Habitats and Species Regulations 2017

Under regulation 63 of these Regulations, we must, before granting any abstraction or impoundment licence, assess whether it is likely to have a significant effect on a European site (Special Areas of Conservation (SAC) or Special Protection Area (SPA), either alone or in combination with other projects; and if so undertake an appropriate assessment of the implications of the abstraction or impoundment upon that site in light of its conservation objectives. In the light of the conclusions of the assessment (and subject to regulation 64) we will only grant a licence after having ascertained that it will not adversely affect the integrity of the European site. We have taken these factors into account as indicated in section 6.6 above.

13.8. Sections 40(2) and 21(4) and (5) Water Resources Act 1991 (Minimum Acceptable Flows)

No Minimum Acceptable Flow has been determined under Section 21(1) Water Resources Act 1991 for any waters related to this application. As a result, we have considered these aspects by reference to our obligations under Section 40(2) Water Resources Act 1991.

We are satisfied that when granting these licences the river flow will not be less than is necessary for meeting (in respect of both the quality and quantity of water) the requirements of public health, navigation and land drainage; and that we have had regard to

- The flow in the inland waters from time to time
- The character of these waters and their surroundings, and

- Any water quality objectives established under Part III of the Water Resources Act 1991 which may be affected by flows.

We have taken these factors into account as indicated in sections 4, 6.2, 6.3, 6.8 and 6.9 above.

13.9. Section 40 Natural Environment and Rural Communities Act 2006

Section 40 of the Natural Environment and Rural Communities Act 2006 has been amended with effect from 1 January 2023 to require consideration of the general biodiversity objective, which is to further the conservation and enhancement of biodiversity through the exercise of our functions. We have considered the general biodiversity objective when carrying out our licence application determination and, concluded that no additional measures are required in the final licences. We have taken these factors into account as indicated in sections 6.1 and 6.5 above.

13.10. Regulations 3 and 33 Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

As required by regulations 3 and 33 of these Regulations, in reaching our decision we have exercised our water resources functions so as to secure compliance with the Water Framework Directive and we have had regard to the relevant river basin district river basin management plan which has been approved under regulation 31 of these Regulations. We are satisfied that in granting these licences there will be no deterioration in the status of the waterbody and we will support the achievement of the objectives for the waterbody. We have taken these factors into account as indicated in section 6.0 above.

13.11. Section 38(3)(b) Water Resources Act 1991

We consider our duty to have regard to the applicant's requirements, in so far as they are reasonable, under section 38(3)(b) of the Water Resources Act 1991. We have taken these factors into account as indicated in sections 3.0 and 7.0 above.

13.12. Environmental Impact Assessment Directive 2011/92/EU

This Directive is implemented by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. These Regulations apply to applications for planning consent made to a local planning authority; they do not apply to applications for a licence made to us under the Water Resources Act 1991.

13.13. Section 108 Deregulation Act 2015 – Growth duty

We considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant these licences.

Paragraph 1.3 of the statutory guidance issued by the Department of Business, Energy and Industrial Strategy in March 2017 says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this abstraction or impoundment in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in these licences are reasonable and necessary to avoid a risk of unacceptable effects on the environment and the rights of other existing lawful water users. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

13.14. Countryside and Rights of Way Act 2000

Section 85 of this Act imposes a duty on the Environment Agency to have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty (AONB). We have had regard to these factors through the process of screening for features of conservation value as indicated in sections 6.1 and 6.6 above.

13.15. National Parks and Access to the Countryside Act 1949

Section 11A and section 5(1) imposes a duty on the Environment Agency when exercising its functions in relation to land in a National Park, to have regard to the purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas, and of promoting opportunities for the understanding and enjoyment of National Parks by the public. We have had regard to these features through the process of screening as indicated in section 6.1 and 6.5 above.

13.16. Section 6(6) Environment Act 1995

It is our duty to maintain, improve and develop salmon fisheries, trout fisheries, freshwater fisheries and eel fisheries.

Any licence we issue which affects surface waters will incorporate the appropriate eel, and/or fish passage arrangements; fish protection measures and appropriate flow constraints and we consider that this duty has been met. We have taken these measures as indicated in section 6.5 above.

14. Conclusion and recommendation

14.1. Conclusion

Full and due consideration has been given to any comments ~~<and representations>~~ made, and due regard has been taken of protected rights and other lawful uses.

The conditions incorporated on the licence are considered to be necessary and reasonable in the light of the available and presented evidence. The conditions are also considered to be clear enough to be enforced by us and understood by the Licence Holder.

14.2. Recommendations

It is recommended that the application is approved and licence numbers SW/048/0191/012 and SW/048/0191/009 should be issued with the conditions as drafted.

15. Authorisation

Applicant: Environment Agency		
Application Reference: Transfer licence: NPS/WR/042596 Impoundment licence: NPS/WR/040145		
Report by: Clare Chadwick Position: Permitting Officer I have reviewed all permitting documents in line with appropriate regime-specific process and checklists and I hereby approve the proposed permit for issue.	Date: 11/11/2024	Signed: C Chadwick
Peer Review (full) by: Graham Melhuish Position: Senior Permitting Officer I have reviewed the required permitting documents in line with appropriate regime-specific process and checklists and I hereby approve the proposed permit for issue.	Date: 14/11/2024	Signed: G.Melhuish
Authorised by: Position: Permitting Team Leader	Date:	Signed: