

4880

Serial No. 26/71/3.11/5

LANCASHIRE RIVER AUTHORITY

WATER RESOURCES ACT 1963

WATER RESOURCES (LICENCES) REGULATIONS, 1965

LICENCE FOR IMPOUNDING AN INLAND WATER

WHEREAS:-

- (1) By Section 4 of the Fylde Water Board Act 1912 (hereinafter called "the Act of 1912") the ^{N.W.W. Northern Division} ~~Fylde Water Board~~ whose Head Office is situate at Sefton Street Blackpool in the County of Lancaster (hereinafter called "the Licence Holder") was authorised to construct (inter alia) an impounding reservoir to be called [REDACTED] Reservoir and ancillary works situate in the township of Bowland Forest (High) Easington and Slaidburn in the West Riding of the County of York including an embankment or dam of the dimensions therein specified and to take water from the [REDACTED] or its tributaries
- (2) By the Fylde Water Board Act 1925 (hereinafter called "the Act of 1925") the Licence Holder was authorised to enlarge [REDACTED] by raising and extending the embankment or dam authorised by the Act of 1912
- (3) By virtue of Section 36 of the Water Resources Act 1963 (hereinafter called "the Act of 1963") no person shall after the 1st April 1965 begin or cause or permit any other person to begin to construct or alter any impounding works at any point in an inland water in a River Authority area (not being an inland water falling within Section 2(3) of the Act of 1963) unless (inter alia) a licence under the Act of 1963 granted by the River Authority for that Area to obstruct or impede the flow of that inland water at that point by means of impounding works is in force
- (4) Section 48(1) of the Act of 1963 provides that where by virtue of an alternative statutory provision which is for the time being in force statutory water undertakers or other persons are authorised to obstruct or impede the flow of an inland water by means of impounding works (whether those works have already been constructed or not) the provisions of Part IV of the Act of 1963 and of Section 103 thereof shall have effect (with the necessary modifications)

as if any reference in those provisions to a licence under the Act of 1963 or to the holder of a licence under the Act of 1963, where the reference is to the revocation or variation of such a licence, included a reference to that authorisation, or to those undertakers or other persons, as the case may be

(5) By virtue of Section 36(3) of the Act of 1963 as applied by sub-section 2 of Section 48 of the Act of 1963 "alternative statutory provision" means a statutory provision which is not contained in or made or issued under the Act of 1963 or the Water Act of 1958 and is or was passed made or issued (a) before the end of the initial period (i.e. a period of three months commencing with the 1st April 1965) whether before or after the passing of the Act of 1963 or (b) after the end of that period but in pursuance of an application made to the Secretary of State for the Environment before the end of that period, whether before or after the passing of the Act of 1963

(6) The Licence Holder has applied to the Lancashire River Authority (hereinafter called "the Authority") under the provisions of Section 42(2) of the Act of 1963 as modified by the provisions of Section 48(1) of that Act for a variation of the provisions of the Act of 1912 and the Act of 1925 as they propose to alter the existing impounding work (namely the embankment or dam at [REDACTED]) in the manner hereinafter authorised

NOW THEREFORE the Authority hereby licence the Licence Holder to obstruct or impede the flow of the inland water described in the First Schedule hereto at the point therein described by means of impounding works in the manner and to the extent described in the Second Schedule hereto subject to the requirements specified in the Third Schedule hereto

FIRST SCHEDULE

Inland Water and point where impounding is authorised

[REDACTED]; [REDACTED] in the Rural District of Bowland in the West Riding of the County of York at National Grid Reference [REDACTED]

SECOND SCHEDULE

Manner and extent of impounding

By means of the existing dam as raised by up to 8.9 metres (29.5 feet) along the whole part of its length; the proposed new crest level to be at a height not exceeding 192.5 metres (632 feet) above ordnance datum (Newlyn); the height of the overflow spillway at crest level not to exceed 191 metres (627 feet) above ordnance datum (Newlyn) and the length of the overflow spillway not to be less than 128 metres (420 feet)

THIRD SCHEDULE

Requirements of Licence

Upon completion of the works referred to in the Second Schedule of this licence the maximum quantity of compensation water to be released from the Water Bank in [REDACTED] shall be increased from 16 million gallons (as at present) to a maximum of 450 megalitres (99 million gallons) per day

The compensation water to be released from [REDACTED] shall be measured by a Flat V Crump Weir or other approved measuring device constructed in accordance with the approval of the Authority and such approved recording instruments shall operate on a continuous basis and be readily available on display to the public

Reasons for conditions of this Licence and for any material departure from the proposals in the application

In order to safeguard the fish life of the [REDACTED] otherwise conditions as applied for

Dated this 13th day of March 1974

(Signed) H. Holmes

Clerk of the Authority

[REDACTED]

Important See the notes which follow