

YG-DCO-101

# Yorkshire Green Energy Enablement (GREEN) Project

**Volume 8**

**Document 8.9.2 Applicant's Response to Examining Authority's First  
Written Questions (ExQ1) Appendices**

**Final Issue A  
April 2023**

**Planning Inspectorate Reference: EN020024**

Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009 Regulation 5(2)(q)

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## Version History

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Document	Version	Status	Description / Changes
26/04/2023	A	Final	First Issue

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# 1. About this document

## 1.1 Introduction

- 1.1.1 This document provides the appendices to National Grid Electricity Transmission plc's (National Grid) (the Applicant) response to the Examining Authority's (ExA) First Written Questions (ExQ1) on the Yorkshire Green Energy Enablement Project (Yorkshire GREEN or the Project).
- 1.1.2 Responses to all questions are set out **Applicant's Response to Examining Authority's First Written Questions (ExQ1) (Document 8.9.1)**. Where an appendix is referred to in responding to a question in that document, the appendix reference alone is provided (for example, "Appendix A"). A full schedule of appendices is provided in **Table 1.1** below.

## 1.2 Schedule of appendices

- 1.2.1 A schedule of appendices is set out below.

Table 1.1 – Schedule of appendices

Appendix reference	Question	Title
Appendix A	Q1.0.5	Travellers Encampment Site - Composite Plan for Information Only
Appendix B	Q1.2.3	Woodstock Lodge Wedding Venue proposed offsite planting location
Appendix C	Q1.2.4	Appeal Decision APP-N2739-W-22-3300623
Appendix D	Q1.2.4	Appeal Decision APP-N2739-W-22-3300623 Plans
Appendix E	Q1.2.5	Proposed Lumby Quarry Plan - For Information Only
Appendix F	Q4.3.1	Payments Schedule For New Electricity Transmission Assets
Appendix G	Q4.3.3	Response to Q4.3.3
Appendix H	Q4.4.2	Response to Q4.4.2
Appendix I	Q4.6.2	Technical Note - Tadcaster East Cable Sealing End Compound Design, and Technical Note - Tadcaster East Cable Sealing End Compound Access Option
Appendix J	Q5.10.1	Local Acts and Byelaws to be disapplied under the Yorkshire GREEN DCO
Appendix K	Q5.10.2	Table of Local Acts and Byelaws to be disapplied by the Yorkshire Green DCO
Appendix L	Q8.0.2	Response to Q8.0.2

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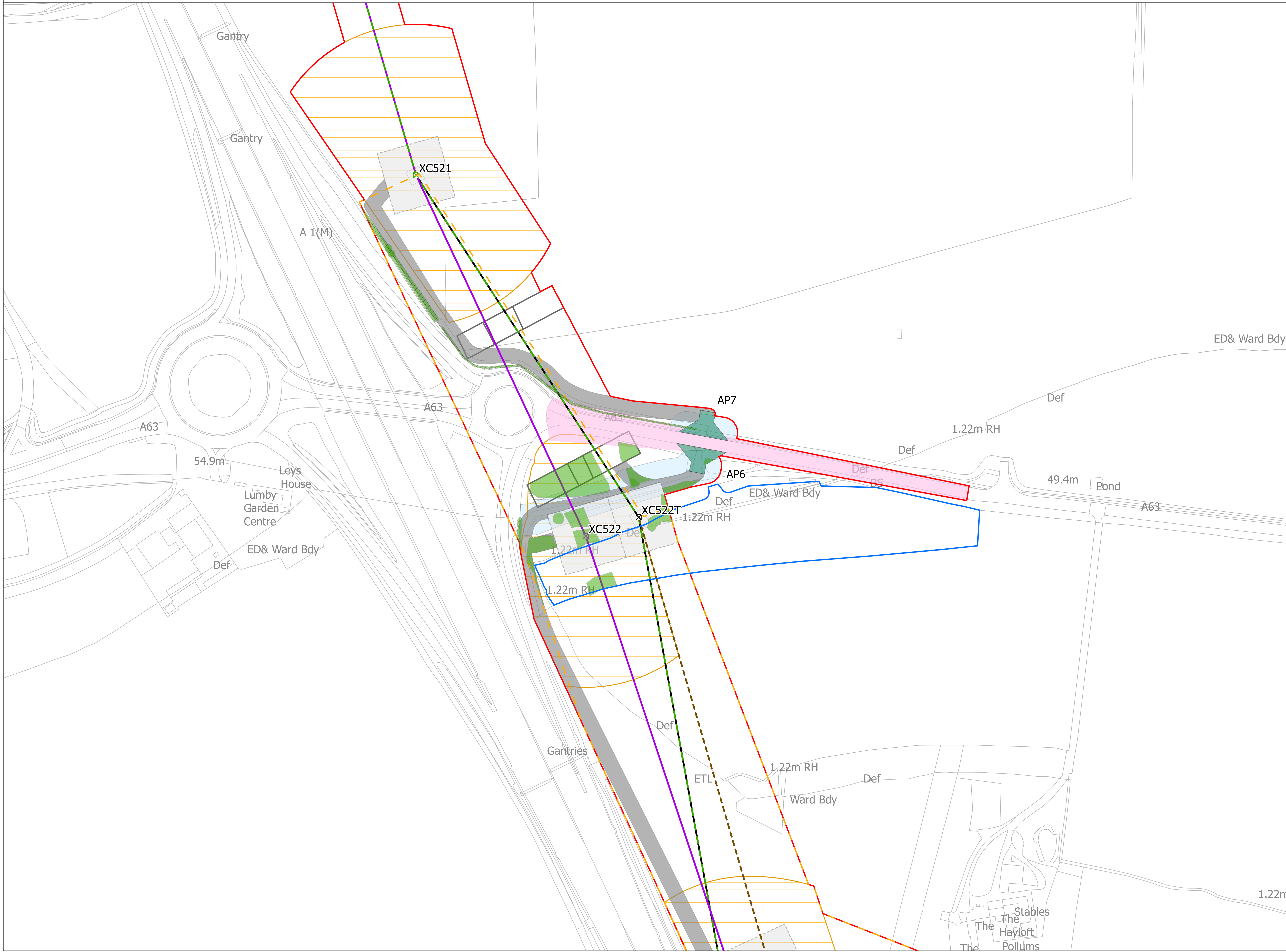
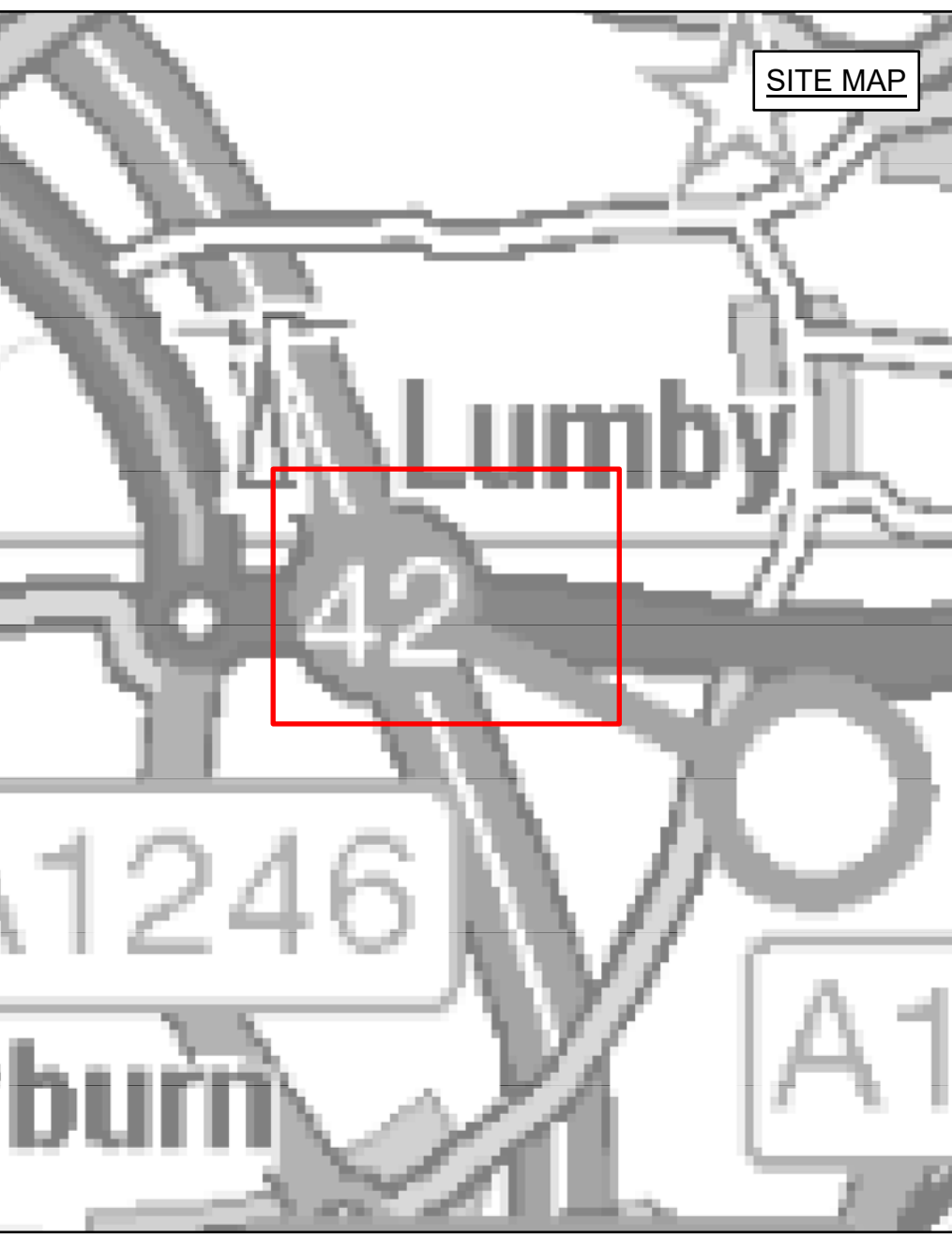
<b>Appendix reference</b>	<b>Question Title</b>
Appendix M	Q11.0.1 Navigation and signposting for landscape and visual effects and mitigation
Appendix N	Q11.1.4 Landscape Underground Works

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# **Appendix A Travellers Encampment Site - Composite Plan for Information Only**



NATIONAL GRID (YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT) ORDER  
 TRAVELLERS ENCAMPMENT SITE - COMPOSITE PLAN FOR INFORMATION ONLY  
 SHEET 1 OF 1



- LEGEND**
- ORDER LIMITS
  - - - ORDER LIMITS & LIMITS OF DEVIATION - LINEAR WORKS
  - - - LIMITS OF DEVIATION - LINEAR WORKS
  - ⊗ INDICATIVE NEW LATTICE PYLON
  - ⊗ EXISTING LATTICE PYLON - TO BE MODIFIED
  - ⊗ EXISTING LATTICE PYLON - TO BE DISMANTLED
  - INDICATIVE NEW OVERHEAD LINE (OHL)
  - EXISTING OVERHEAD LINE (OHL) - TO BE RECONDUCTORED
  - - - EXISTING OVERHEAD LINE (OHL) - TO BE DISMANTLED
  - INDICATIVE ACCESS SWATHE
  - INDICATIVE VISIBILITY SPLAY
  - INDICATIVE ACCESS POINT
  - INDICATIVE WORKING AREA
  - INDICATIVE STRINGING POSITION
  - INDICATIVE CROSSING PROTECTION WORK AREA
  - THIRD PARTY LIMITS OF DEVIATION
  - HEDGEROW TO BE REMOVED
  - TREES TO BE REMOVED
  - APPROXIMATE EXTENT OF TRAVELLERS ENCAMPMENT

**Notes**

This drawing is scaled at paper size A0, therefore any prints taken at smaller sizes will affect accuracy of the measurement units and should not be scaled against.

These plans have been produced in response to EXQ1 Question 1.0.5 to provide more information on potential construction activities in proximity to the travellers encampment.

These plans are indicative and for information only.

Coordinate System: British National Grid  
 Sheet X Centroid Coordinate: 445986 Sheet Y Centroid Coordinate: 441773



BACKGROUND MAPPING INFORMATION HAS BEEN REPRODUCED FROM THE ORDNANCE SURVEY BY PERMISSION OF ORDNANCE SURVEY OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. CROWN COPYRIGHT ORDNANCE SURVEY ©. BLUESKY INTERNATIONAL LTD ©. NATIONAL GRID ELECTRICITY - 100024241.


A	26/04/2023	FOR DEADLINE TWO	JDH	SF	EMD
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Issue	Date	Remarks	Drawn	Checked	Approved
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**Title**

NATIONAL GRID  
 (YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT) ORDER  
 TRAVELLERS ENCAMPMENT SITE  
 COMPOSITE PLAN  
 FOR INFORMATION ONLY  
 SHEET 1 OF 1

**nationalgrid**

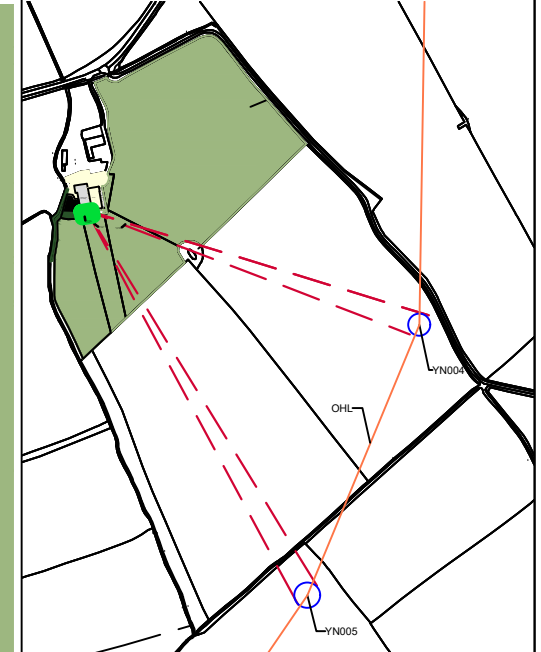
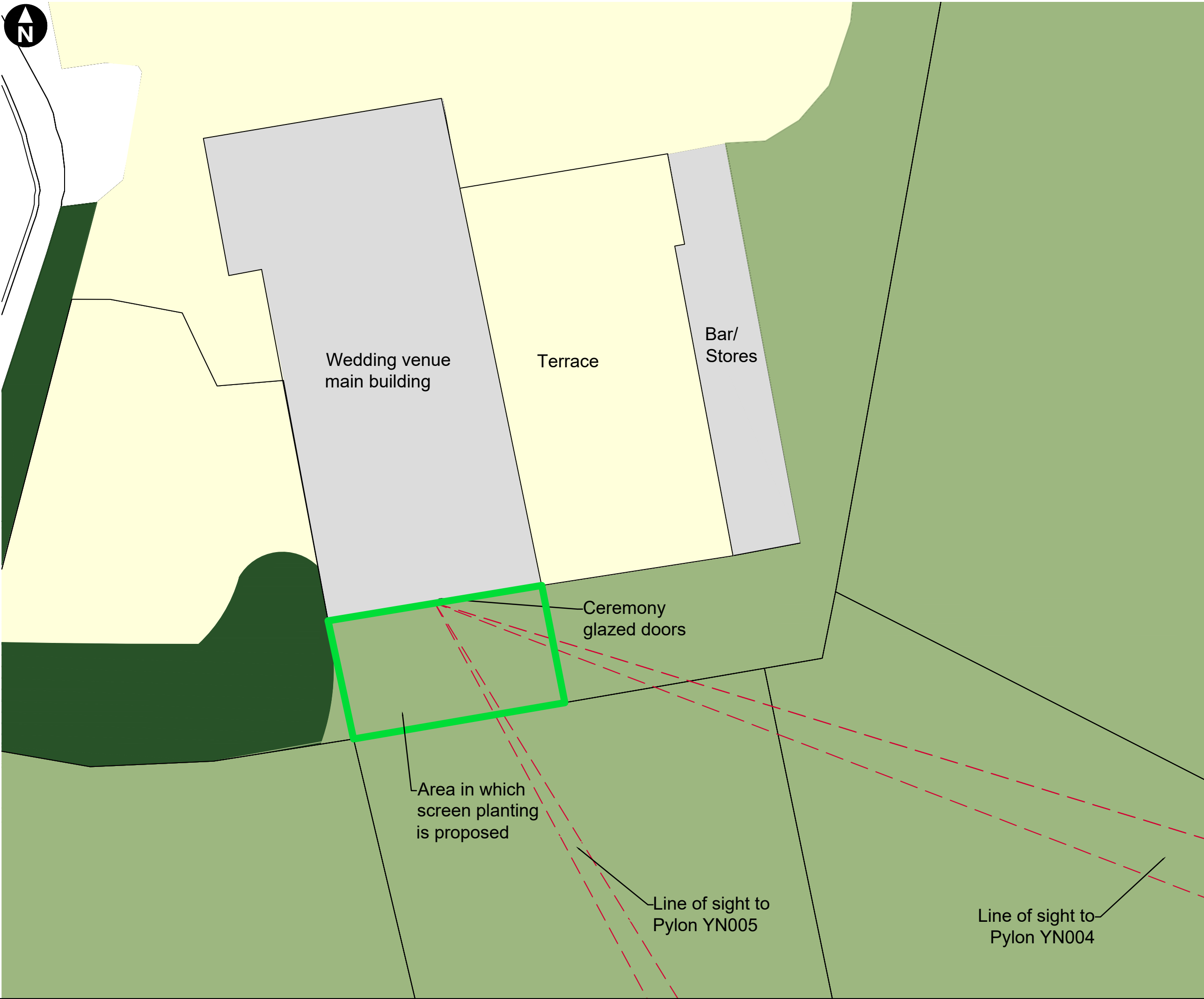
Application Number: EN020024

National Grid Drawing Reference: DCO\_D2/ExQ1\_1.0.5

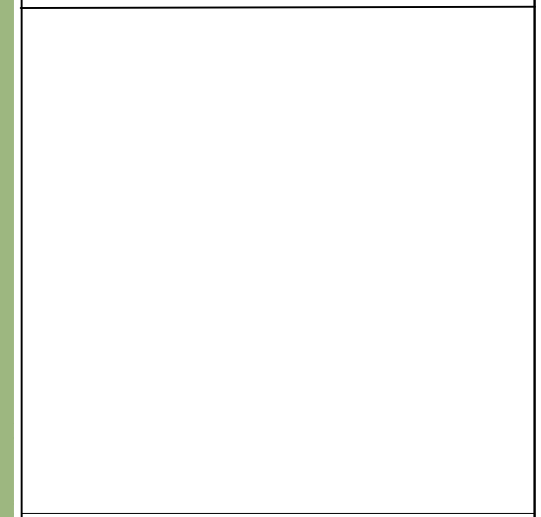
Scale: 1:1,000	Sheet Size: A0	Sheet: SHEET 1 OF 1	Issue: A
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## **Appendix B Woodstock Lodge Wedding Venue proposed offsite planting location**



**Wider Context Plan**  
0m 500m



0m 15m

THIS DRAWING IS SCALED AT PAPER SIZE A3.  
THEREFORE ANY PRINTS TAKEN AT SMALLER SIZES  
WILL AFFECT ACCURACY OF THE MEASUREMENT  
UNITS AND SHOULD NOT BE SCALED  
AGAINST.

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Client  
**nationalgrid**

Yorkshire Green

**Woodstock Lodge Wedding Venue:  
Proposed offsite planting location**

DCO/D2/ExQ1\_1.2.3  
April 2023

Woodstock Lodge Wedding Venue: Proposed offsite planting location

# Appendix C 3300623

# Appeal Decision APP-N2739-W-22-



## Appeal Decision

Hearing held on 8 November 2022

Site visit made on 8 November 2022

**by Zoe Raygen DipURP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 December 2022**

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### **Appeal Ref: APP/N2739/W/22/3300623 Rawfield Lane, Fairburn, Selby LS25 5JB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by UKPA EnergyMF Ltd against the decision of Selby District Council.
  - The application Ref 2021/0789/FULM, dated 18 June 2021, was refused by notice dated 15 December 2021.
  - The development proposed is construction of a zero-carbon energy storage and management facility including containerised batteries, synchronous condensers and associated infrastructure, access and landscaping.
- 

### **Decision**

1. The appeal is allowed, and planning permission is granted for the construction of a zero-carbon energy storage and management facility including containerised batteries, synchronous condensers and associated infrastructure, access and landscaping at Rawfield Lane, Fairburn, Selby LS25 5JB in accordance with the terms of the application Ref 2021/0789/FULM, dated 18 June 2021, subject to the conditions set out in the schedule to this decision notice.

### **Preliminary Matters**

2. Prior to the Hearing the appellant submitted a Unilateral Undertaking which secures the maintenance of the proposed landscaping and biodiversity enhancement area for the duration of the development on the site. This is a material consideration to which I turn to later.

### **Main Issue**

3. The appeal site is located within the Green Belt and parties agree that having regard to the National Planning Policy Framework (the Framework) the proposal is inappropriate development. In that context, the main issues are:
  - the effect of the proposal on the openness of the Green Belt;
  - the effect of the proposal on the purposes of including land within the Green Belt;
  - the effect of the proposal on the character and appearance of the area;
  - would the harm by reason of inappropriateness and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal:

## Reasons

### *Openness*

4. The appeal site is agricultural land within the open countryside. The proposal involves the provision of an energy management building, 104 battery containers in five blocks, 104 inverters with transformers, two main transformers, five additional transformers, seven switchgear containers, one communications house, high voltage infrastructure, three 5 metre high acoustic walls, six security light columns and palisade fencing incorporating electric fencing. As a result, the majority of the site would be covered with development where there is currently none. Consequently, even though the appeal site forms only a small part of the Green Belt as a whole, the spatial effect on openness would be significant.
5. The appeal site is located within a natural dip in the land. This together with the surrounding rolling topography and natural vegetation means that visually it is well contained and has limited wider visibility in the landscape. The development would though be prominent in views from a nearby Public Right of Way 35.15/1/1 (PROW) until proposed landscaping became established. There is nearby electricity infrastructure, in the form of the adjacent substation and overhead powerlines and pylons. However, this does not, in my view, visually degrade the openness or tranquillity of the Green Belt in this location to such an extent to reduce the visual impact on openness of this proposed development which would significantly industrialise this open field.
6. The duration of the development would be 40 years. While not permanent, this would still be a lengthy period of time over which the openness of the Green Belt would be significantly reduced.
7. Activity in the short term would be high during the construction phase. However, the appellant confirmed at the Hearing that this would reduce to monthly visits for maintenance when operational. There would be no harmful impact on openness in this regard.
8. Overall, therefore there would be a significant impact on the openness of the Green Belt.

### *Purposes of Green Belt*

9. The Council confirmed at the Hearing its principal concern relates to the impact of the development on safeguarding the countryside from encroachment.
10. As part of the evidence for the emerging Selby District Council Local Plan, a draft Stage 1 Green Belt Study was produced in 2015 to inform the extent of strategic countryside gaps, development limits, safeguarded land and the status of villages in the Green Belt. The appeal site lies within area Central 10 and scores 4 out of 5 in terms of protecting the openness of the countryside with the area essentially being devoid of development except for the substation and limited residential development, therefore displaying a strong rural character.
11. The appeal site is adjacent to the existing sub-station. However, I do not accept that this means that it contributes less to safeguarding the countryside from encroachment than the rest of the Central 10, rather it provides a buffer to existing development. The extent of built form across the appeal site would

mean that development would encroach into the countryside over a relatively large area contrary to one of the purposes of the Green Belt.

12. The Council also expressed concern that the development would contribute to nearby settlements merging reducing the undeveloped gap between Lumby and Fairburn. The actual wording of the Framework in this respect is the prevention of neighbouring towns merging. I saw that Lumby and Fairburn are both small villages. Even if I were to consider them in the context of this purpose of the Green Belt, I saw that there would still be large areas of undeveloped land between the settlements such that the development would cause no material harm in this respect.
13. For the reasons above therefore, I conclude the proposal would result in considerable encroachment of the countryside.

#### *Character and appearance*

14. The appeal site is located within an area of rolling countryside intersected by transport and electricity infrastructure. There are hedgerows marking field boundaries and areas of native woodland. As a whole therefore the area has a dominantly rural characteristic. I acknowledge the local infrastructure, including the large substation. However, the combination of the topography and natural vegetation means that this is not particularly dominant in the landscape and does not significantly erode the pastoral nature of the area.
15. The appeal site itself sits in a natural dip in the landscape and is agricultural in nature bounded by vegetation on all sides apart from the open southern boundary. It therefore contributes positively to the rural character and appearance of the area. The PROW runs east-west to the south of the appeal site. To the north is the existing large substation. I saw though that this is largely screened from the south by existing vegetation.
16. The equipment to be erected on the site ranges in size and height. The highest structures, the main transformers, would be sited at the northern end adjacent to existing infrastructure. The battery containers at 2.63 metres in height would then extend across the site to the south. A 10 metre landscaping strip would be planted around the edge of the development.
17. The development would inevitably change the existing agricultural nature of the appeal site. However, it would be contained within the existing field pattern. Furthermore, planting along the boundaries would reinforce the characteristic wooded development within the area and be of native species, such that as the landscaping becomes established there would be only a minor effect overall on the appeal site and landscape character. This is the findings of the appellant's Landscape and Visual Assessment (LVA) and the later assessment carried out, taking into account the Enhanced Mitigation Strategy<sup>1</sup>. The Council confirmed at the Hearing that it did not dispute these findings.
18. The parties agreed that the appeal site is visually well contained. I saw this to be the case at my site visit and from visiting the surrounding area. Existing vegetation and natural topography mean that views of it, and the adjacent substation are very limited, in the wider landscape. The Council confirmed at the hearing that its principal concern related to the views from the footpath encompassed in viewpoint 2 in the LVA.

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<sup>1</sup> TOPIC PAPER: Landscape and Visual Matters 4 August 2022

19. Viewpoint 2 is taken from the adjacent PROW which is about 20 metres from the southern boundary of the appeal site. Currently walkers will walk across an open field. They may glimpse the neighbouring substation and infrastructure to the north, but I saw that this is well screened by vegetation even though leaves had started to fall at the time of my site visit.
20. The development would be set about 10 metres inside the site boundary behind a landscape buffer consisting of native deciduous and evergreen tree and shrub species, incorporating transplants and advanced nursery stock up to 4.25m tall when planted. The planting would be established over the first 3 years and reach a consistent height of 8m after 15 years. A green palisade fence together with electric fencing would be erected beyond the 10 metre buffer adjacent to the proposed equipment.
21. The indicative visual representations submitted by the appellant of the view from viewpoint 2<sup>2</sup> show the development with and without the landscaping just after construction and the view 15 years after construction. I also have had regard to the Councils submitted photo points within its Landscape and Visual Appraisal Rebuttal. The Council expresses concern about the accuracy of the height of the trees on view 2.2 given the comparison with the height of the fence. However, the appellant confirmed at the Hearing it was accurate and the fence would be behind the trees, therefore its full extent could not be seen on the plan as it was covered by the tree canopies. I also understand the Council's concern regarding the planting of larger trees in an attempt to overcome the visual intrusion, which would be high at the point of construction. The trees, being larger specimens would need more rigorous maintenance and there would likely be a high level of failure.
22. The appellant accepted this was likely to be the case at the Hearing and has committed to a longer period of maintenance and tree replacement secured by condition and obligation within the UU. Furthermore, there would be underplanting of smaller trees. I am therefore satisfied that these measures would appropriately secure the provision of a substantial landscape buffer.
23. There would be a moderate adverse visual effect within the first year. Once established, the use of advanced nursery stock would significantly reduce that effect, such that in time walkers would have a similar view to that existing to the north, albeit the planting would be closer. Consequently, there would be a negligible harmful effect to appearance, especially given that woodland planting is not an unusual feature in the landscape.
24. The Council confirmed at the Hearing that it was in general agreement with the findings relating to the remainder of the viewpoints in the LVA. I would concur, I saw that the site had such limited visibility in the wider area that there would be a neutral effect, particularly after the landscaping had established.
25. The Council and the Parish Council raised concerns regarding the considerable number of developments in the local area which are currently proposed. These include a quarry, service station and the Yorkshire Green Nationally Significant Infrastructure Project (NSIP) proposing an extension to the adjacent substation, together with a smaller application for battery storage on an adjacent site to the one before me. However, of these the only one that has planning permission is the adjacent battery storage site which is of a much

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<sup>2</sup> TPLV 2.1, 2.2 and 2.3

smaller scale than that proposed here. Although close by, the combination of proposed and existing landscaping would ensure that there would be no harmful cumulative effect. Any cumulative effects of this and other projects would be taken into account when those projects were considered.

26. For the reasons above, I conclude that the proposal would cause some harm to the character and appearance of the area. It would therefore be contrary to the requirements of Policies ENV1 and ENV 3 of the Selby District Local Plan Part 1 General Policies 2005, Policies SP18 and SP19 of the Selby District Core Strategy Local Plan 2013 and with the Framework which together seek to provide good quality of development, which safeguards landscape character and does not compromise local distinctiveness, character and form.
27. Notwithstanding the above, the identified harm must be considered in the context of my findings that any harm would be localised, and mostly reduced by the proposed mitigation measures. Therefore, I afford the identified minor harm to the character and appearance of the area a minor level of weight against the scheme in the balancing exercise.

#### *Other considerations*

28. There is no dispute between the parties regarding the need for this type of development contributing to the recognition of the importance of a faster transition to Net Zero, to support energy security and reduce exposure to volatile international fossil fuel prices, by harnessing abundant renewable and low carbon resources. National Grid are working to deliver carbon free operation by 2025 contributing to the UK's target to decarbonise the power system by 2035 as part of its target of achieving Net Zero by 2050<sup>3</sup>.
29. The increasing dependence on renewable energy and in particular wind and solar energy has led to fluctuations in supply dependant on the weather, hence the increased need for storage facilities. These store excess energy at times of high renewable generation and provide somewhere to get energy from when demands are high and generation output is low. Consequently, National Grid estimates that electricity storage will need to increase significantly to support the decarbonisation of the system with as much as twelve fold and seven fold increases in capacity and volume respectively from 2021 to 2050 to meet the challenging Net Zero targets<sup>4</sup>. The Future Energy Scenarios Report 2022 updates the requirement for battery storage capacity from 13 GW in the 2021 Future Energy Scenarios Report to 20GW by 2030. Hence, I give the need for the equipment very significant weight.
30. The main issue for the Council, is that in its opinion the site has been chosen starting with connectivity issues in mind, rather than consideration of the Green Belt which has been a secondary issue. In the Council's view the equipment proposed could be located anywhere and it is not essential it be located in the Green Belt. The Framework and the Government attach great importance to the Green Belt and inappropriate development should not be approved except in very special circumstances. The Green Belt has not therefore been given proper consideration in the search and selection of sites.
31. The proposed scheme would deliver both Battery Energy Storage Systems (BESS) and Synchronous Compensators (SC) which would manage the stability

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<sup>3</sup> Net Zero Strategy: Build Back Greener HM Government 2021

<sup>4</sup> Future Energy Scenarios July 2022 National Grid



- of the national grid including the relationship between voltage and current and the resilience of the system to sudden faults. This would provide support to the transmission network (275kV and 400kV) as opposed to the smaller developments which would generally only provide support via BESS. Connecting directly to the transmission network means that the project would assist in capacity, frequency, voltage, inertia and reactive power. This scheme alone would provide some 50% of the voltage requirement. Furthermore, it would provide capacity of some 320MW.
32. The appellant has consulted with National Grid and was directed to the network in the West Yorkshire area which is currently congested. Although a different area to administrative boundaries, the Council is concerned that the area of search has not been sufficiently wide within that West Yorkshire area of concern. It therefore put forward a number of alternatives, where it knows that planning applications have been granted or are pending for battery storage linked to other power stations not in the Green Belt.
33. However, the appellant states that National Grid has advised they are unable to connect to existing power stations such as Drax. Furthermore, the detailed analysis of each active or former power stations within the appellant's Topic Paper: Location Selection and Alternatives found that each was deficient in some requirement, most notably that none could achieve a connection before 2030 and, in most cases, there was only connection to one or other of the required 275kV and 400kV circuit, or capacity is limited.
34. The appellant also investigated other substations in the area, but of these only one had connection to both the 275kV and 400kV circuits at Thorpe Marsh. This is located within South Yorkshire, not identified by National Grid as having the voltage issues of the West Yorkshire area. Furthermore, although not in the Green Belt, the substation is adjacent to flood zones 2 and 3a and at risk of flooding which has previously occurred on the site.
35. The appellant also considered whether similar benefits could come from a number of smaller sites outside of the Green Belt. However, smaller sites would generally not accommodate SC and the consequent benefit of grid stabilisation this would bring. Furthermore, the appellant found that the provision of five smaller sites to produce about the same MW output would use 50% more land. While not in the Green Belt, it would still involve a high take up of land and not deliver the benefits of the scheme before me now.
36. Perhaps one of the most important factors is the ability to connect to the National Grid. The appellant has submitted evidence that demonstrates that future connections to the National Grid will be challenging and applicants face a 10 year wait to connect to the grid due to existing capacity being exhausted. Therefore, projects that have secured connection are fundamental to achieving Net Zero targets given the increased requirement for storage capacity. This proposal has an agreed connection to the grid in 2024 which significantly adds to the overall benefit of the scheme.
37. I acknowledge that this is not in itself a renewable energy project and therefore paragraph 151 of the Framework does not apply. However, without the move to renewable energy generation there would not be a need for the development due to the inherent vagaries of harnessing energy through renewable technology. Furthermore, currently storage would be of energy from both renewable and non-renewable sources, although if Net Zero targets are met

then within the lifetime of the development it should store energy from renewable sources only. I am satisfied therefore, that the proposal would support the transition to a low carbon future in a changing climate through supporting renewable and low carbon energy and associated infrastructure in accordance with paragraph 152 of the Framework.

38. From the evidence before me it is likely that BESS schemes could be located elsewhere. However, the combination of BESS and AC and the magnitude of benefits that would bring within the required timescales in an area of need is unlikely to be delivered elsewhere in the area of search. Accordingly, I give very substantial weight to the lack of alternative sites to deliver the high level of benefits, most importantly, in the required time frame to help deliver the National Grid and UK's ambitious Net Zero targets.

### **Other Matters**

39. I have had regard to the various appeal decisions and planning decisions that have been submitted by both parties in support of their cases. While there may be some similar circumstances such as some being in the Green Belt, I cannot be sure that the level of evidence I heard at the Hearing would have been replicated in each case and that circumstances are similar enough to justify me reaching similar decisions where those are counter to that made in this decision. I have therefore determined this proposal based on the particular circumstances and the evidence I have seen and heard.
40. I appreciate that the Council has felt disadvantaged by the quantity and nature of the evidence before me from the appellant. However, there is nothing conclusive before me to suggest the Council could not have sought specialist independent advice regarding the evidence submitted.

### **Legal Agreement**

41. The submitted UU secures the maintenance of the landscaping scheme and the biodiversity enhancement scheme for the duration of the development. Given the importance of the landscaping scheme for integrating the development into the local landscape and avoiding harmful visual effects I consider this to be necessary for the lifetime of the development. Similarly given the requirement in the Framework to provide net gains for biodiversity I consider the maintenance of that area to be necessary to make the development acceptable in planning terms.
42. Both requirements are directly related to the development and fairly and reasonably related in scale and kind to the development. I am satisfied therefore that the obligations in the UU meet the requirements of paragraph 57 of the Framework.

### **Conclusion**

43. The proposal would be inappropriate development in the Green Belt and would be significantly harmful to its openness, contrary to the Framework. The proposal would also fail to safeguard the countryside from encroachment contrary to one of the aims of the Green Belt. In accordance with the Framework, together I give these harms substantial weight. There would also be minor harm to the character and appearance of the area to which I give minor weight.

44. However, in this instance I have found that the development would deliver very substantial benefits, contributing to Net Zero targets and facilitating the role out of increasing use of renewable energy resources in the country. Therefore, I find that the other considerations in this case clearly outweigh the harm that I have identified. Looking at the case as a whole, I consider that very special circumstances exist which justify the development. The proposal therefore would comply with Policies SP2 and SP3 of the Local Plan which require that planning permission will not be granted for inappropriate development unless the applicant has demonstrated that very special circumstances exist to justify why permission should be granted.
45. For the reasons outlined above the appeal should be allowed.

### **Conditions**

46. The suggested conditions were discussed at the Hearing some were revised based on that discussion. I have had regard to the revised agreed list of conditions and considered them against the tests in the Framework and the advice in the Planning Practise Guidance (PPG), making such amendments as necessary to comply with those documents.
47. The standard conditions relating to timescale for commencement and accordance with plans are imposed for certainty. A condition is imposed to ensure that the site is restored to its current state once the 40 year life of the development is over, or after the cessation of the use, in the interests of the character and appearance of the area and restoration of the Green Belt.
48. Measures to protect the existing trees and hedges on site are required prior to work commencing on site to ensure none are harmed by development. A detailed landscaping plan, based on the principles submitted as part of this appeal, is necessary to protect the character and appearance of the area. This needs to be submitted prior to the commencement of development to ensure that appropriate measures are in place.
49. A construction management plan is required to be submitted to ensure that necessary protocols are in place for parking and storage before the commencement of development. Conditions (7) and (8) are imposed in the interests of highway safety.
50. Details of a drainage strategy are required to ensure that the movement of water on site is appropriately managed prior to work commencing and that surrounding areas are not at risk of flooding.
51. Condition (10) is imposed to ensure that acceptable provision is made for the recording of any archaeology. Conditions (11)-(14) are necessary to ensure that adequate investigation of contamination is made prior to any works occurring on site and that appropriate remediation is undertaken to ensure risks from land contamination for future users are minimised.
52. The submission of a Noise Mitigation Scheme prior to work commencing is necessary to protect the living conditions of nearby residents at all stages of the development. Details of lighting and the colour of the equipment, its housing and fencing are required to protect the character and appearance of the area.

53. A condition requiring compliance with plans and reports regarding ecology, together with the submission of a Non Licensed Method Statement (NLMS) for Great Crested Newts is necessary to ensure no harmful impact on ecology and net gains for biodiversity are achieved. The NLMS is required prior to work commencing on site to ensure that Great Crested Newts are protected prior to construction activity. Conditions regarding the proximity of the public water main and the National Grid Assets are required to protect the structures and assets and allow essential maintenance.

*Zoe Raygen*

INSPECTOR

#### APPEARANCES

##### **FOR THE LOCAL PLANNING AUTHORITY**

Richard Wood.

Director, Richard Wood  
Associates on behalf of Selby  
District Council

Barrie Gannon

Chartered Landscape Architect  
of BG Design Associates on  
behalf of Selby District Council

##### **FOR THE APPELLANT**

David Hardy of Counsel

CMS Cameron McKenna  
Nabarro Olswang LLP

Philip Clements

Director of Operations &  
Business Support for SSE  
Energy Solutions

James Blackburn

Engineering Director of UK  
Power Associates Ltd

Matthew Sharpe

Senior Director, Quod

Lee Morris

Managing Director and Co-  
owner of Tir Collective Limited

##### **DOCUMENTS SUBMITTED AT THE HEARING**

1 Appellants response to Council's Landscape and Visual Appraisal Rebuttal

## CONDITIONS

- 1) The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission
- 2) The development hereby permitted shall be carried out in accordance with the plans/drawings listed below: 1A 3403-REP-013, 3403-DR-P-0001 Rev 14, TC22068-LP 01v1, 3403-DR-LAN-102 Rev A, 3403-DR-P-0006, 3403-DR-P-0007, 3403-DR-P-0008-1, 3403-DR-P-0009, 3403-DR-P-0008, 3403-DR-P-0011, 3403-DR-P-00013 , 3403-DR-P-0014
- 3) (a) The use of proposed development shall cease on or before 29 November 2062 and all buildings, equipment and infrastructure removed and the land shall be restored in accordance with a decommissioning scheme that must be submitted to and approved by the local planning authority. The decommissioning scheme shall include a programme for the timing and a scheme of work which shall be fully implemented in accordance with the approved details.  
  
(b) All buildings, structures and associated infrastructure must be removed within six months of the use of the proposed development ceasing, and the land restored in accordance with the details approved pursuant to paragraph (a).
- 4) No development may commence until an Arboricultural Method Statement and tree protection measures, in compliance with BS5837, has been submitted to and approved in writing by the Local Planning Authority. This should demonstrate how all existing boundary trees and hedgerows to be retained will be protected during the construction period. The development shall thereafter be carried out only in accordance with the approved details.
- 5) (a) No development may commence until a detailed hard and soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be in accordance with the details set out in drawing number TC22068-LP.01v1 (by Tir Collective dated 20 May 2022) and the Offsite Landscape Enhancement Plan drawing number 3403-DR-LAN-102 Revision A (by Arcus dated 2 June 2021) and must include details of proposed landscape and ecology works, including:
  - i) soft landscape details;
  - ii) hard surfacing materials;
  - iii) proposed finished ground levels;
  - iv) species type, size and planting density
  - v) vehicular and pedestrian access;
  - vi) a landscape maintenance, management and monitoring plan, including details of seasonal watering.  
(b) The approved landscaping scheme shall be implemented in its entirety within the first available planting season following construction of the development.  
  
(c) The scheme shall be retained and managed in accordance with the approved landscape maintenance, management and monitoring plan for the duration of the development.

(d) If any tree or shrub is removed, dies or becomes seriously damaged or diseased within the lifetime of the development it must be replaced with suitable replacement plants or trees to the approved details.

- 6) No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
- i) the parking of contractors' site operatives and visitor's vehicles;
  - ii) areas for storage of plant and materials used in constructing the development clear of the highway; and
  - iii) contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Construction of the permitted development must be undertaken in accordance with the approved plan.

- 7) The development must not be brought into use until a scheme for the access to the site at Rawfield Lane has been submitted to and approved in writing by the Local Planning Authority. The scheme must be in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works" published by the Local Highway Authority and the following:
- i) The access must have a minimum carriageway width of 4.1 metres, and that part of the access road extending 6 metres into the site must be constructed in accordance with Standard Detail number E70; and
  - ii) Drainage details that set out measures to prevent surface water from the site/plot discharging onto the highway.

All works must be carried out in accordance with the above approved details.

- 8) There must be no access or egress by any vehicles between the highway and the application site at Rawfield Lane until splays are provided giving clear visibility of 130metres (north) and 129 metres (south) measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 9) No development must commence until a drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must be in accordance with the principles set out in in the Outline Sustainable Drainage Strategy (dated June 2021). The approved scheme shall be implemented and maintained for the lifetime of the development
- 10) No development must commence until a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) An assessment of significance and research questions;
  - ii) The programme and methodology of site investigation and recording;

- iii) Community involvement and/or outreach proposals;
- iv) The programme for post investigation assessment;
- v) Provision to be made for analysis of the site investigation and recording;
- vi) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- vii) Provision to be made for archive deposition of the analysis and records of the site investigation; and
- viii) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved Written Scheme of Investigation. The development shall not be brought in to use or the site occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 11) No development must commence until a contamination investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be developed in accordance with the recommendations set out in the Phase 1 Contaminated Land Assessment (dated May 2021). The report of the findings must include:
- i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);
  - ii) an assessment of the potential risks to
    1. human health,
    2. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    3. adjoining land,
    4. groundwaters and surface waters,
    5. ecological systems,
    6. archaeological sites and ancient monuments;
  - iii) an appraisal of remedial options, and proposal of the preferred option(s).

The development shall be carried out in accordance with the approved details.

- 12) No development must commence until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) details of any remedial works needed to bring the site to a condition suitable for the intended use, including the removal of unacceptable risks to human health, buildings and other property and the natural and historical environment;
  - ii) Any works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures;

- iii) Confirmation that the site is not contaminated land, as defined by Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The development shall be carried out in accordance with the approved details.

- 13) The development must not be brought into use until the approved remediation scheme has been carried out. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority within two months of the development coming into use.
- 14) If in undertaking the construction of the development, contamination not previously identified is found to be present at the site, then it must be reported in writing as soon as possible to the Local Planning Authority. An investigation and risk assessment must be undertaken and where further remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.
- 15) No development must commence until a Noise Mitigation Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the recommendations set out in the Noise Impact Assessment (dated May 2021). The approved scheme must be implemented as approved for the life of the development.
- 16) No external lighting shall be installed on site until the details of the lighting, columns, including their number, type and locations, the intensity of illumination and predicted lighting contours and the details of when the lighting would be operational have been first submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure the lighting remains off at all times unless necessary for access, service and maintenance. Any external lighting that is installed shall accord with the details so approved.
- 17) The battery containers, palisade fencing and energy management building shall not be installed until details of the external materials have been submitted to and approved in writing by the Local Planning Authority. The battery energy storage containers, transformers and associated switchgear; containers, communications house, energy management building, perimeter palisade fencing, acoustic walls must be finished with green colour materials only.

The development shall thereafter be carried out only in accordance with the approved details.

- 18) Prior to commencement a Non Licensed Method Statement (NLMS) for Great Crested Newts shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with the approved NLMS and the recommendations, advice and mitigations measures contained in the Landscape and Ecology Mitigation Plan and offsite Landscape Enhancement Plan and adherence



to the measure set out in the Ecological Impact Assessment by Arcus dated June 2021.

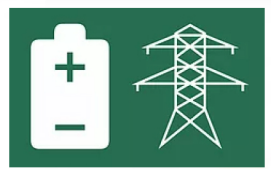
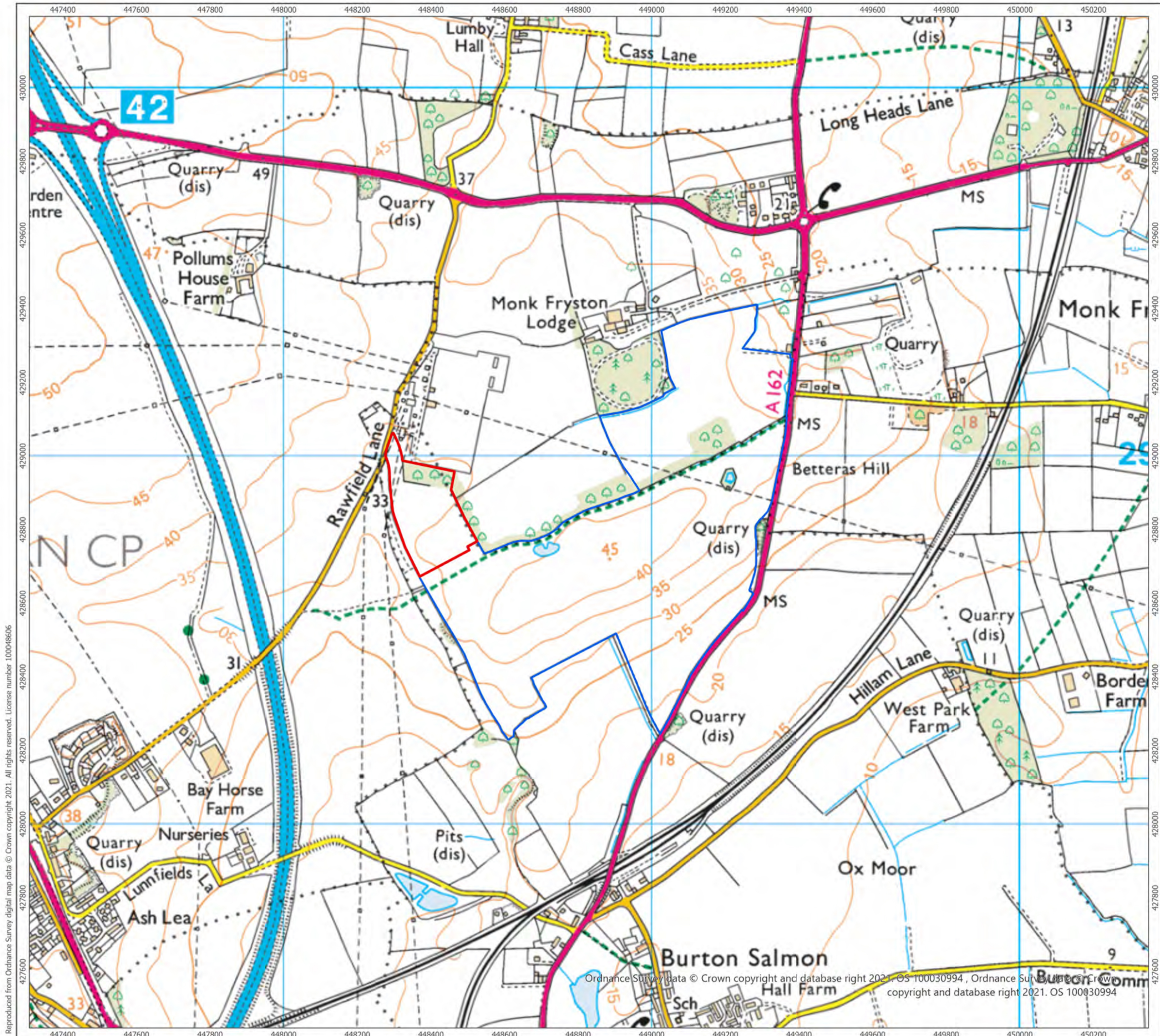
- 19) No building or other obstruction including landscape features shall be located within 3 (three) metres of the public water main (i.e. a protected strip width of 6 (six) metres). No diversions or closure of the water main must take place unless or until details of any diversion or closure, including the proposed timing of the works has, following consultation with the relevant statutory undertaker, been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented as approved.
- 20) A 5.3m minimum clearance with National Grid Assets must be maintained as shown on the Site Layout Plan (drawing number 3403-DR-P-0001, Rev 14).

\*\*\*\*\***END OF CONDITION SCHEDULE**\*\*\*\*\*

## Appendix D Appeal Decision APP-N2739-W-22-3300623 Plans

Table 1.2 – Schedule of Appeal Decision APP-N2739-W-22-3300623 Plans

Plan reference	Plan name and date
1A 3403-REP-013	Site Location Plan 21 May 2021
3403-DR-P-0001 Rev 14	Site Layout Plan 04 October 2021
3403-DR-P-0006	Indicative Battery Container 17 May 2021
3403-DR-P-0007	Indicative Inverter Container 29 March 2021
3403-DR-P-0008-1	Indicative Energy Management Building 29 March 2021
3403-DR-P-0009	Indicative Palisade Fencing 29 March 2021
3403-DR-P-0008	Indicative Storage /Comms House Container 29 March 2021
3403-DR-P-0011	Indicative 3 x 3 Transformer 29 March 2021
3403-DR-P-00013	Indicative Security Column 14 May 2021
3403-DR-P-0014	Indicative Transformer and HV Infrastructure 17 May 2021
TC22068-LP.01v1	Planting Proposals Drawing 20 May 2022
3403-DR-LAN-102 Rev A	Offsite Landscape Enhancement Plan drawing number 07 June 2021



ARCUS

- Site Boundary
- Landownership Boundary

1:10,000 Scale @ A3  
 0 0.15 0.3 km

Produced By: KM	Ref: 3403-REP-013
Checked By: NH	Date: 21/05/2021

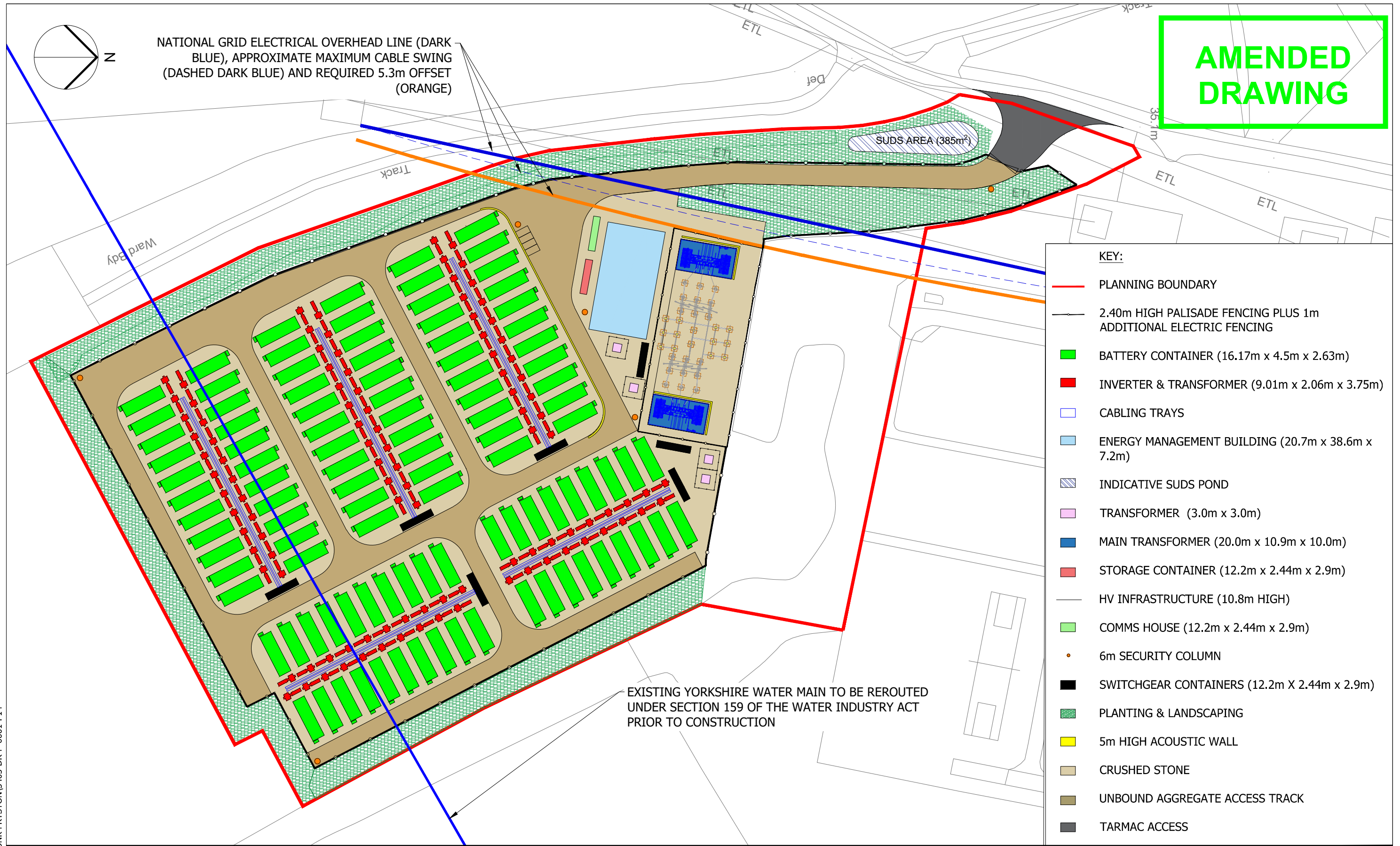
**Location Plan**  
 Land East of Rawfield Lane

**Monk Fryston**  
 Planning Drawing 1A

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 Ordnance Survey data © Crown copyright and database right 2021. OS 100030994, Ordnance Survey, Crown copyright and database right 2021. OS 100030994

**AMENDED  
DRAWING**

NATIONAL GRID ELECTRICAL OVERHEAD LINE (DARK BLUE), APPROXIMATE MAXIMUM CABLE SWING (DASHED DARK BLUE) AND REQUIRED 5.3m OFFSET (ORANGE)



**KEY:**

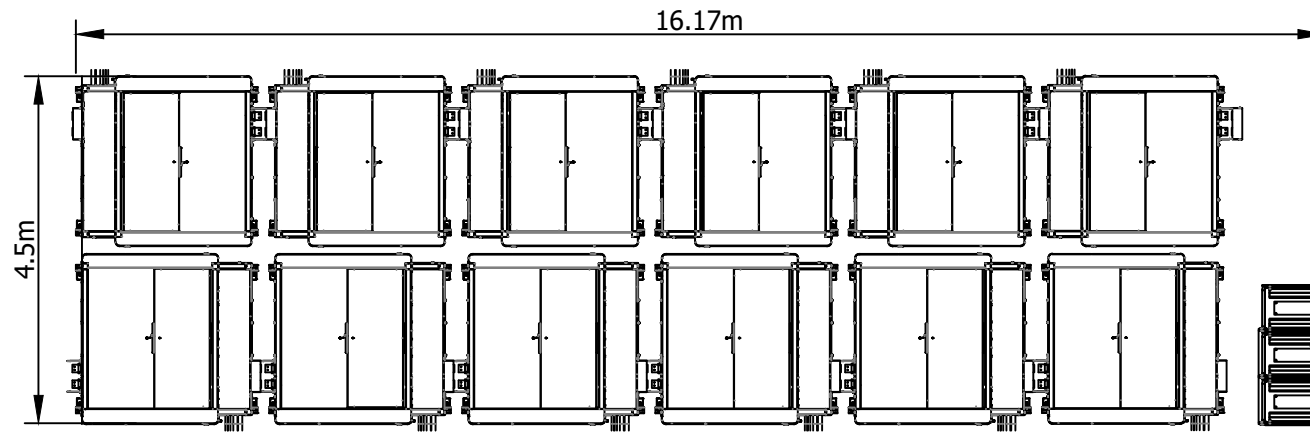
- PLANNING BOUNDARY
- 2.40m HIGH PALISADE FENCING PLUS 1m ADDITIONAL ELECTRIC FENCING
- BATTERY CONTAINER (16.17m x 4.5m x 2.63m)
- INVERTER & TRANSFORMER (9.01m x 2.06m x 3.75m)
- CABLING TRAYS
- ENERGY MANAGEMENT BUILDING (20.7m x 38.6m x 7.2m)
- INDICATIVE SUDS POND
- TRANSFORMER (3.0m x 3.0m)
- MAIN TRANSFORMER (20.0m x 10.9m x 10.0m)
- STORAGE CONTAINER (12.2m x 2.44m x 2.9m)
- HV INFRASTRUCTURE (10.8m HIGH)
- COMMS HOUSE (12.2m x 2.44m x 2.9m)
- 6m SECURITY COLUMN
- SWITCHGEAR CONTAINERS (12.2m X 2.44m x 2.9m)
- PLANTING & LANDSCAPING
- 5m HIGH ACOUSTIC WALL
- CRUSHED STONE
- UNBOUND AGGREGATE ACCESS TRACK
- TARMAC ACCESS

EXISTING YORKSHIRE WATER MAIN TO BE REROUTED UNDER SECTION 159 OF THE WATER INDUSTRY ACT PRIOR TO CONSTRUCTION

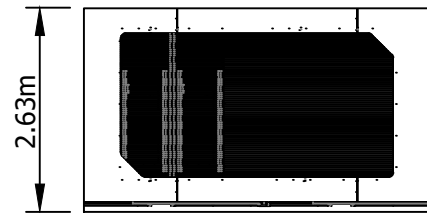
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File Name P:\CAD\3403 MONK FRYSTON\3403-DR-P-0001-P14

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<b>Client</b> UKPA		Designed	Drawn	Checked	Approved			
		-	SR	DB	DB			
		Arcus Internal Project No. 3403	Date 04/10/21			Drawing Number 3403-DR-P-0001	Rev 14	
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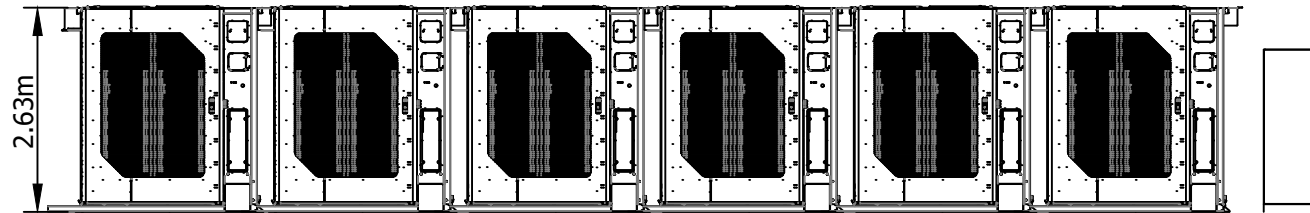
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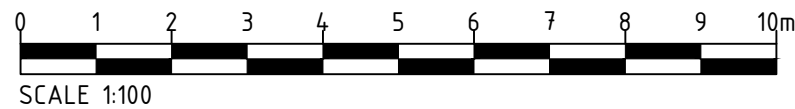
PLAN





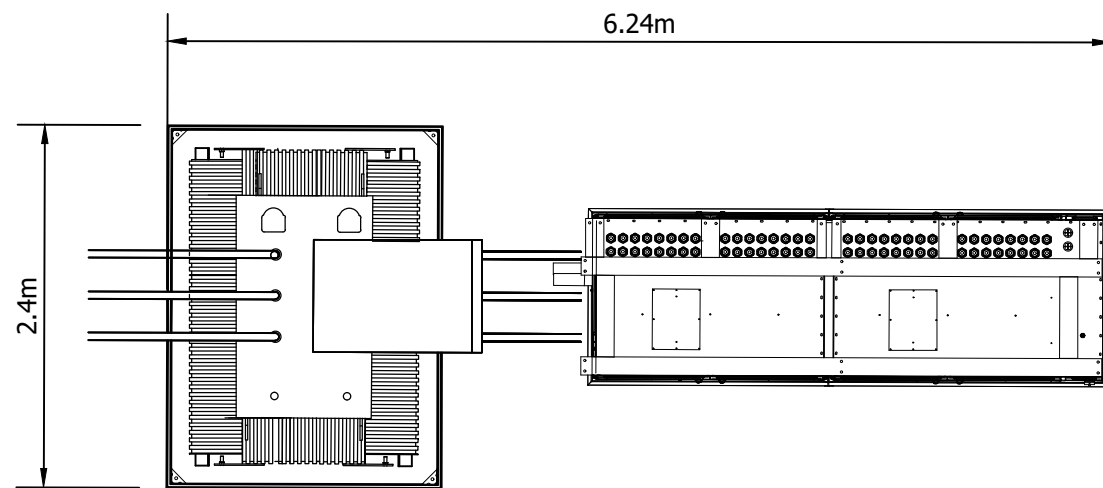
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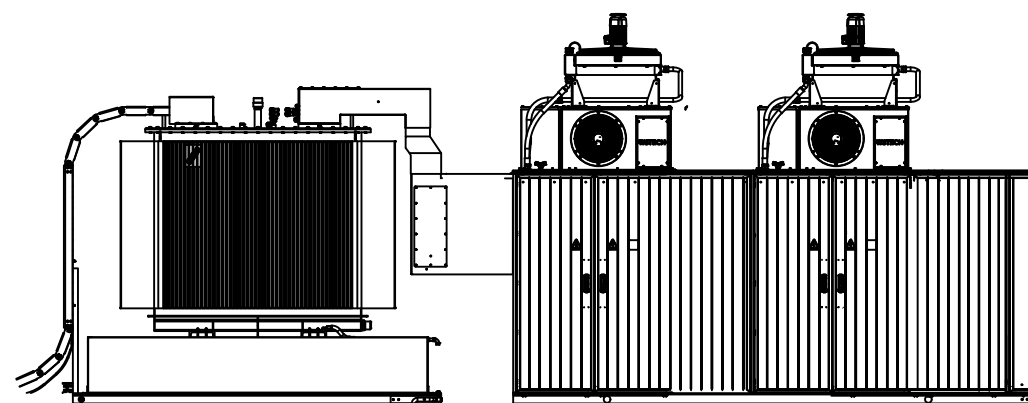
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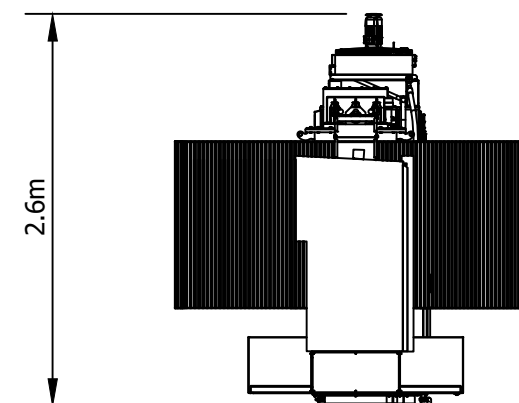
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Client 		Arcus Internal Project No. 3403	Date 17/05/2021					
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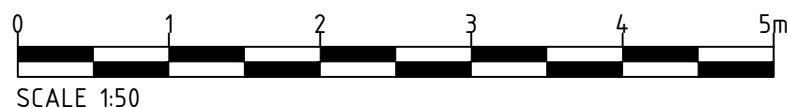
PLAN





ELEVATION



END ELEVATION



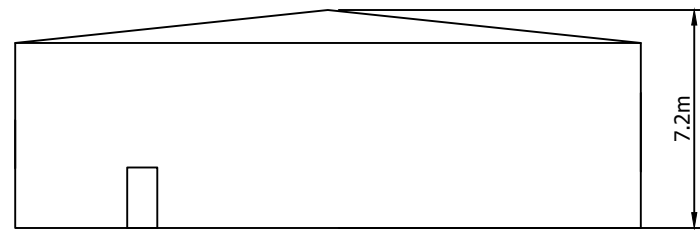
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		Designed -	Drawn SR	Checked KB	Approved NH			
Client  <small>Monk Fyston - Zero-Carbon Energy Storage &amp; Management Facility</small>		Arcus Internal Project No. 3403	Date 29/03/21					
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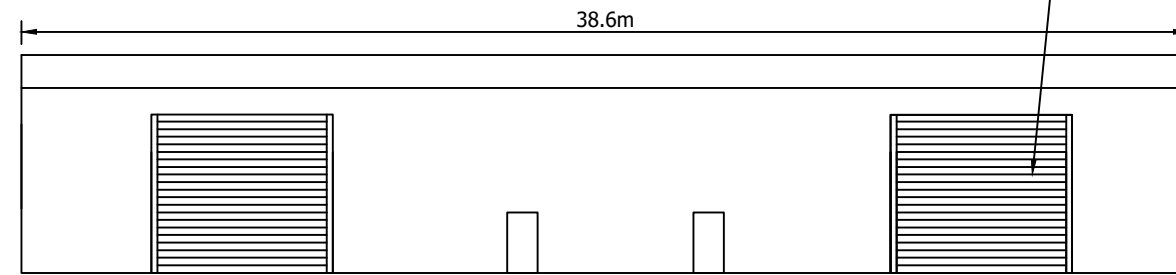
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PLAN



END ELEVATION





ELEVATION

ROLLER SHUTTER  
STYLE DOORS



SCALE 1:250

Project Title <b>MONK FRYSTON ZERO-CARBON ENERGY STORAGE AND MANAGEMENT FACILITY</b>	Drawing Title <b>PLANNING DRAWING 008 INDICATIVE ENERGY MANAGEMENT BUILDING</b>	Purpose of issue <b>PLANNING</b>				THIS DOCUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE SCOPE OF ARCUS' APPOINTMENT WITH ITS CLIENT AND IS SUBJECT TO THE TERMS OF THAT APPOINTMENT. ARCUS ACCEPTS NO LIABILITY FOR ANY USE OF THIS DOCUMENT OTHER THAN BY ITS CLIENT AND ONLY FOR THE PURPOSES FOR WHICH IT WAS PREPARED AND PROVIDED	Arcus Consultancy Services 7th Floor 144 West George Street Glasgow, G2 2HG Tel: +44 (0)141 221 9997 Fax: +44 (0)141 221 5610 <a href="http://www.arcusconsulting.co.uk">www.arcusconsulting.co.uk</a>	
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Client  <small>Monk Fyston - Zero-Carbon Energy Storage &amp; Management Facility</small>		Arcus Internal Project No. 3403	Date 29/03/21					
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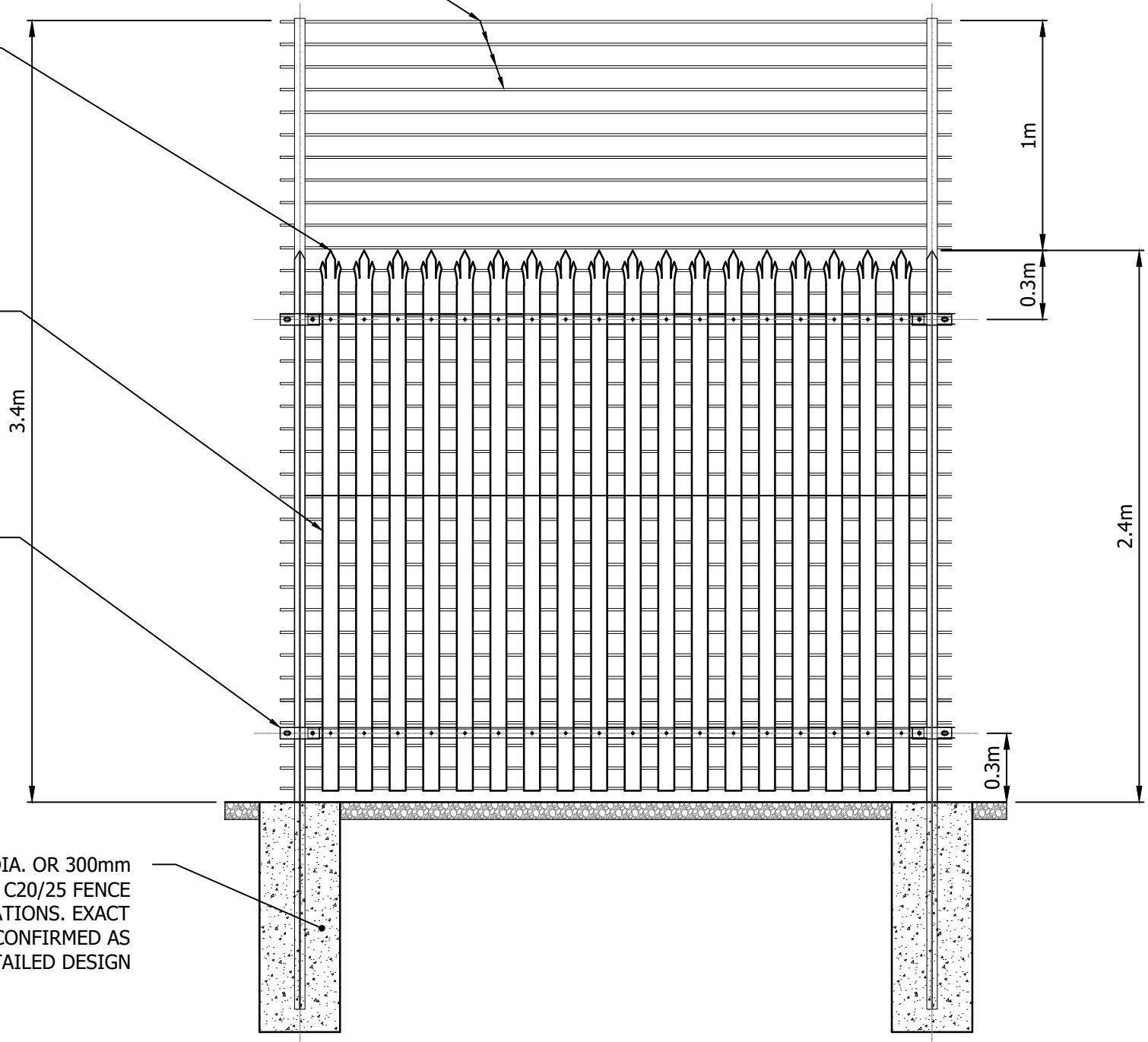
ELECTRICAL PULSE FENCE TO EXTEND TO A HEIGHT OF 3.4m AND TYPICALLY COMPRISE 35 WIRES AT REGULAR INTERVALS THROUGHOUT THE HEIGHT OF THE FENCE

PALES TO HAVE SINGLE, POINTED, SPLAYED & RETURNED HEADS



'W' PALES 3mm THICK WITH A MINIMUM FACE TO VIEW WIDTH OF 70mm

LOWER RAIL TO BE DETAILED WITH FIXING HOLES TO FACILITATE CONNECTION TO THE SITE'S EARTHING MAT

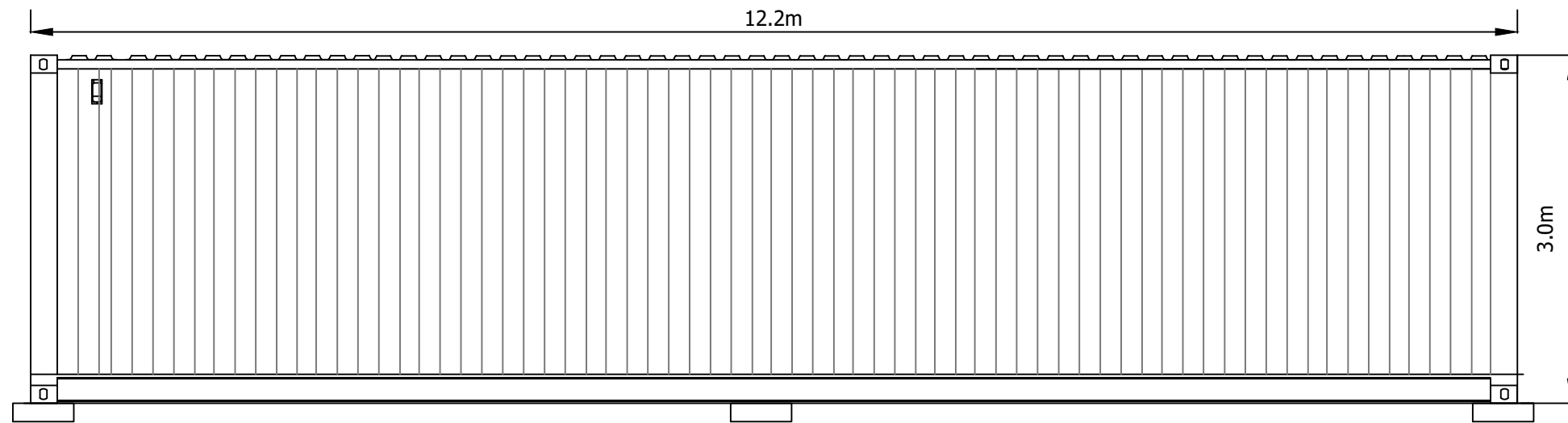
EITHER 450mm DIA. OR 300mm SQUARE, 1000mm DEEP C20/25 FENCE POST FOUNDATIONS. EXACT DIMENSIONS TO BE CONFIRMED AS PART OF DETAILED DESIGN



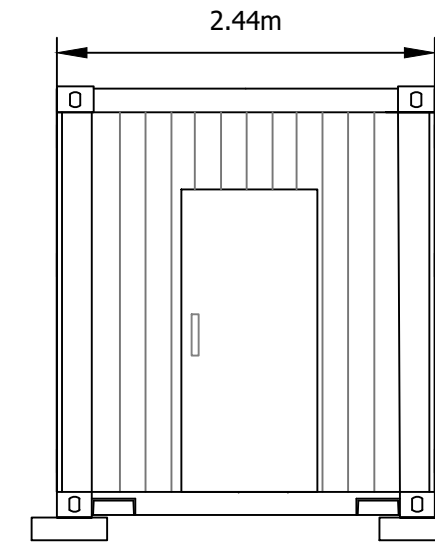
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		Designed -	Drawn KB	Checked DB	Approved NH			
Client  <small>Monk Fyston - Zero-Carbon Energy Storage &amp; Management Facility</small>		Arcus Internal Project No. 3403	Date 29/03/21					
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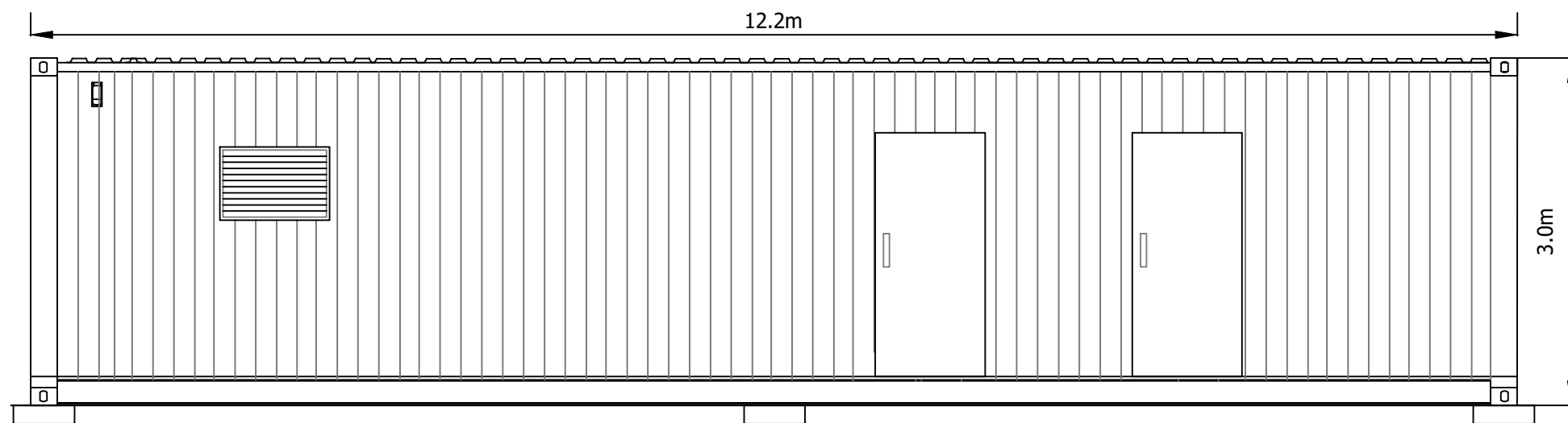




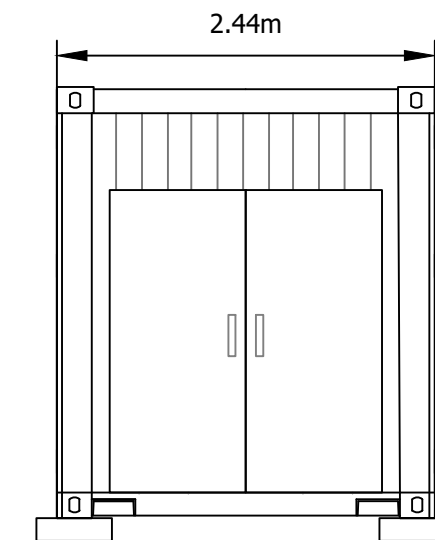
FRONT ELEVATION



END ELEVATION



REAR ELEVATION




END ELEVATION



SCALE 1:50

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Project Title	<b>MONK FRYSTON ZERO-CARBON ENERGY STORAGE AND MANAGEMENT FACILITY</b>
Client	 Monk Fyston - ZeroCarbon Energy Storage & Management Facility

Drawing Title	<b>PLANNING DRAWING 0010 INDICATIVE STORAGE/COMMS HOUSE/ CONTAINER</b>
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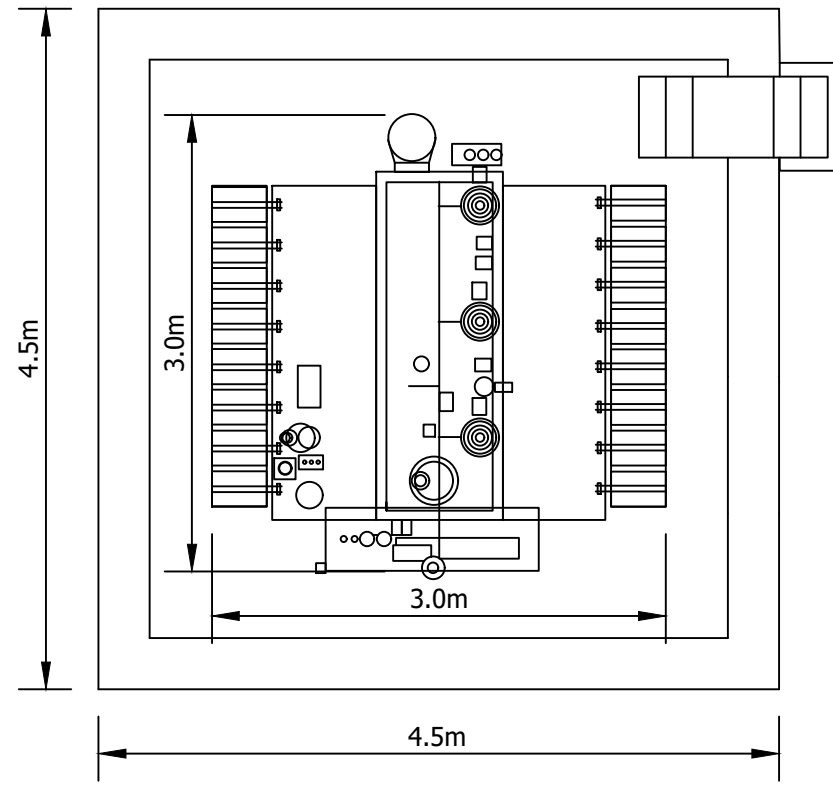
Purpose of issue <b>PLANNING</b>			
Designed	Drawn	Checked	Approved
-	KB	DB	NH
Arcus Internal Project No. 3403		Date 29/03/21	
Scale @ A3 1:50			

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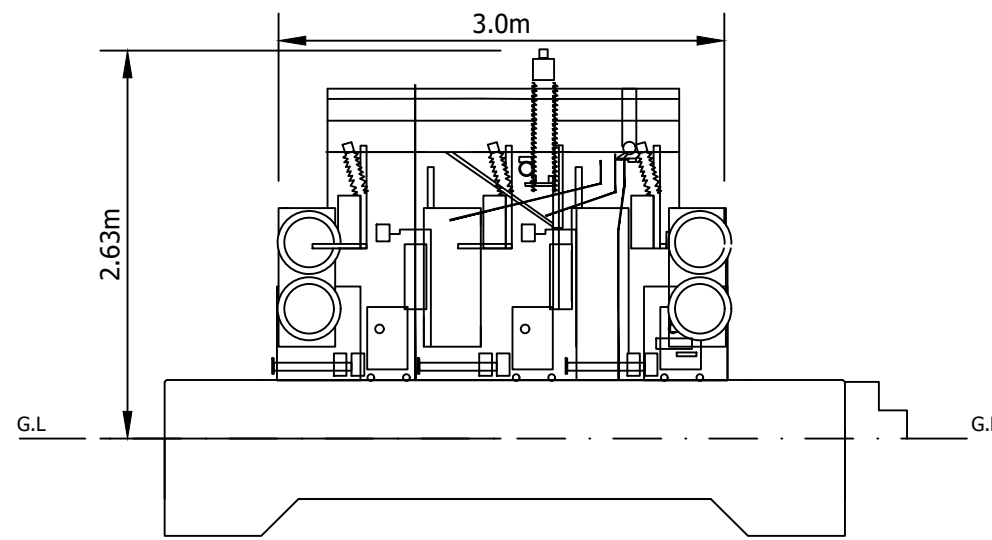
**Arcus Consultancy Services**  
7th Floor  
144 West George Street  
Glasgow, G2 2HG  
Tel: +44 (0)141 221 9997  
Fax: +44 (0)141 221 5610  
[www.arcusconsulting.co.uk](http://www.arcusconsulting.co.uk)



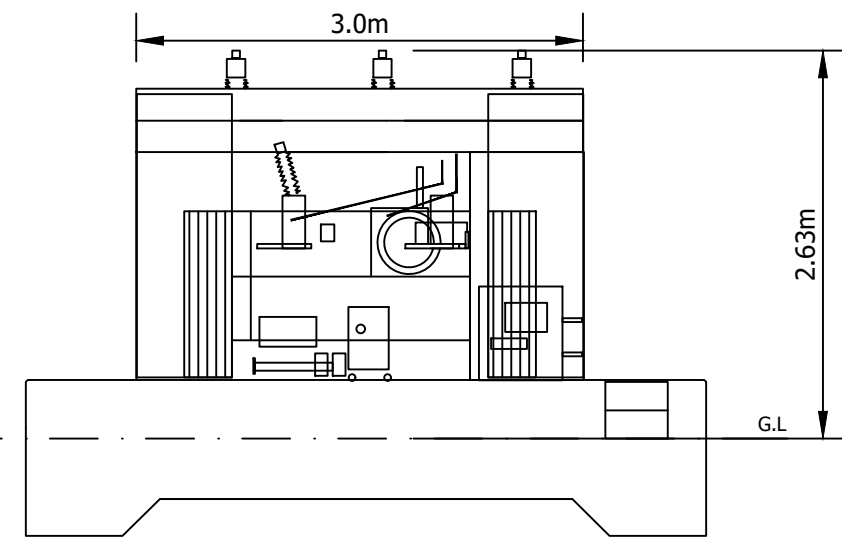
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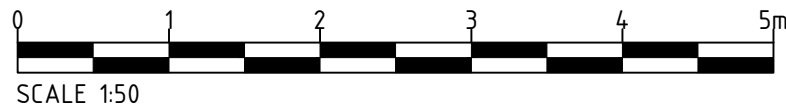
**PLAN**



**ELEVATION**



**END-ELEVATION**



Project Title	<b>MONK FRYSTON ZERO-CARBON ENERGY STORAGE AND MANAGEMENT FACILITY</b>
Client	 Monk Fyston - Zero Carbon Energy Storage & Management Facility

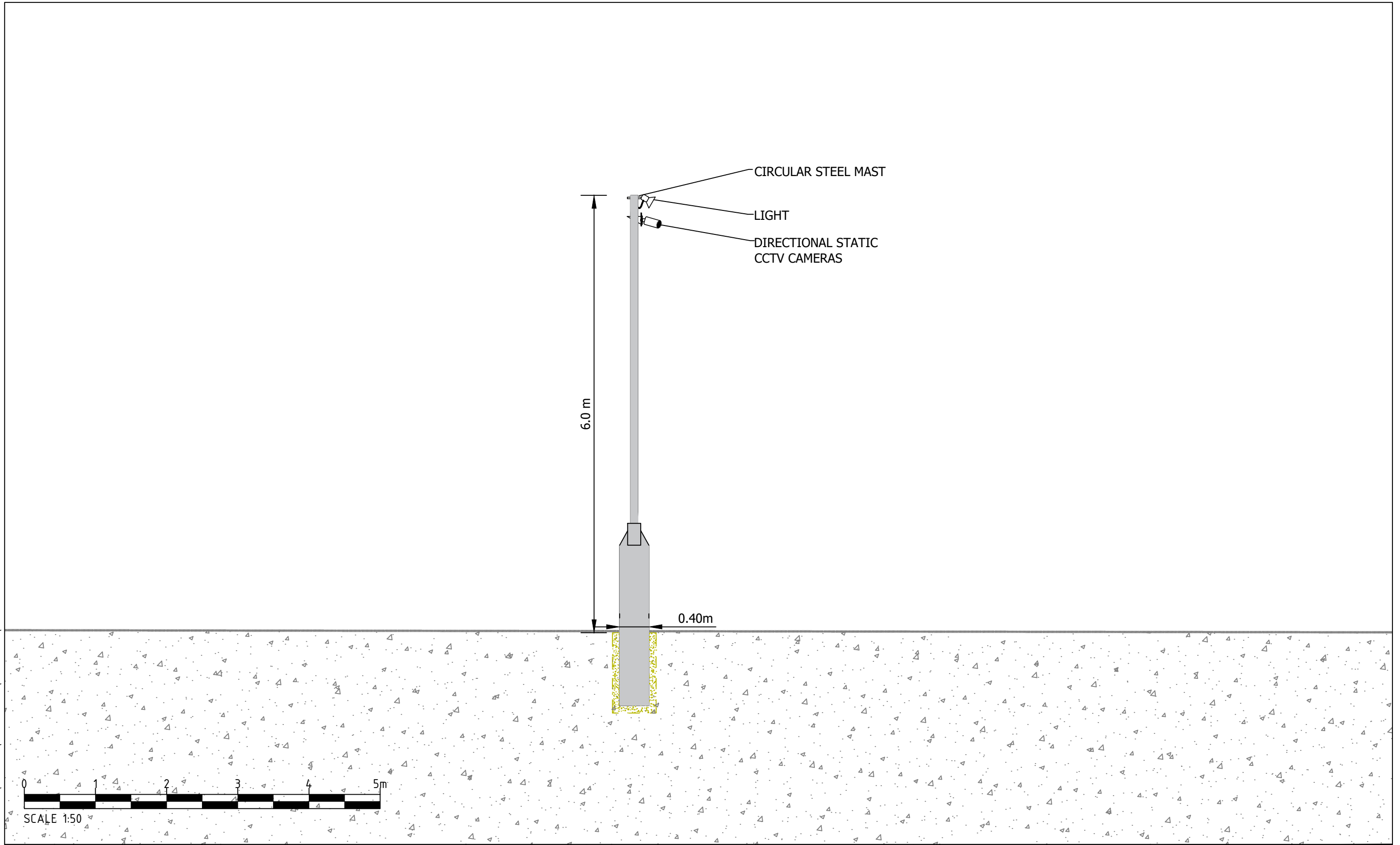
Drawing Title	<b>PLANNING DRAWING 0011 INDICATIVE 3 x 3 TRANSFORMER</b>
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Purpose of issue			
<b>PLANNING</b>			
Designed	Drawn	Checked	Approved
-	KB	DB	NH
Arcus Internal Project No.		Date	
3403		29/03/21	
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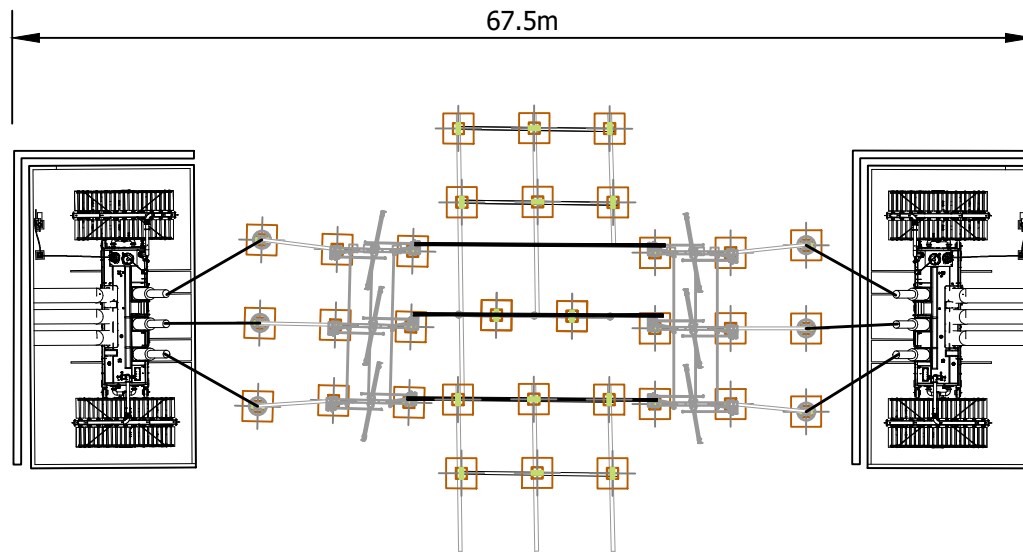
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Drawing Number	Rev
3403-DR-P-0011	-

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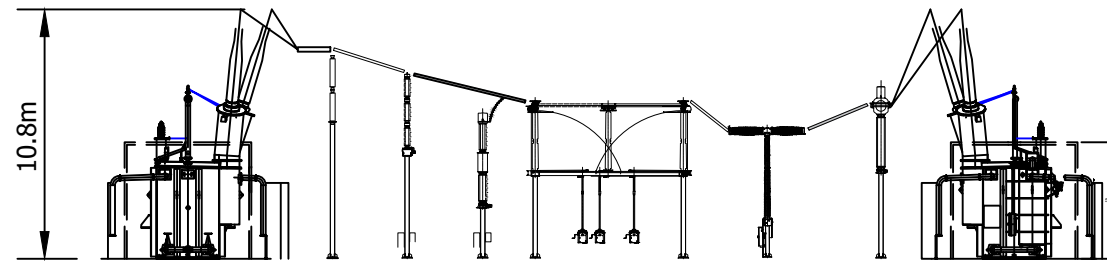
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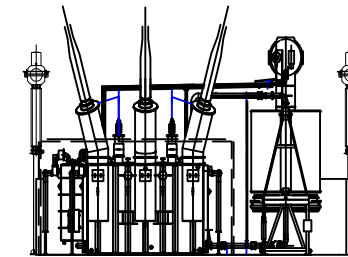
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		Designed -	Drawn SR	Checked KB	Approved NH			
Client 		Arcus Internal Project No. <b>3403</b>	Date <b>14/05/21</b>					
		Scale @ A3 <b>1:50</b>						



PLAN



ELEVATION





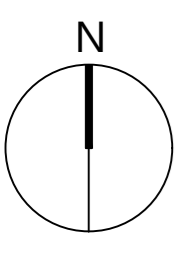
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SCALE 1:500

Plot Date : 08 June 2021 10:29:00  
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Project Title <b>MONK FRYSTON ZERO-CARBON ENERGY STORAGE AND MANAGEMENT FACILITY</b>	Drawing Title <b>PLANNING DRAWING 0013 INDICATIVE TRANSFORMER AND HV INFRASTRUCTURE</b>	Purpose of issue <b>PLANNING</b>				THIS DOCUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE SCOPE OF ARCUS' APPOINTMENT WITH ITS CLIENT AND IS SUBJECT TO THE TERMS OF THAT APPOINTMENT. ARCUS ACCEPTS NO LIABILITY FOR ANY USE OF THIS DOCUMENT OTHER THAN BY ITS CLIENT AND ONLY FOR THE PURPOSES FOR WHICH IT WAS PREPARED AND PROVIDED	Arcus Consultancy Services 7th Floor 144 West George Street Glasgow, G2 2HG Tel: +44 (0)141 221 9997 Fax: +44 (0)141 221 5610 <a href="http://www.arcusconsulting.co.uk">www.arcusconsulting.co.uk</a>	
		Designed -	Drawn SR	Checked KB	Approved NH			
Client 		Arcus Internal Project No. 3403	Date 17/05/2021					
		Scale @ A3 1:500						



**PLANTING NOTES**

The handling of plants to be in accordance with National Plant Specification 'Handling and Establishing Landscape Plants'. All plants and planting operations are to comply with the requirements and recommendations of all current relevant British Standard specification including but not limited to:

- BS 8545: Trees: From Nursery to Independence in the Landscape
- BS 3936-1:1992: Nursery stock. Specification for trees and shrubs
- BS 3882:2015 - Specification for topsoil
- BS 4428:1989. Code of practice for general landscape operations (excluding hard surfaces) (AMD 6784)
- BS 5837: 2012 Trees in relation to design, demolition and construction. Recommendations

All planting to be carried out during appropriate climatic conditions from mid-November to mid-March. Existing topsoil and/or imported, clean/inert horticultural ameliorants from sustainable sources. Contractor to satisfy themselves with measurements on site and the full extent of works before pricing.

**Clearance**

Cut back all grass and perennial vegetation including brambles, suckering and epicormic growth to a height of 25-50mm across site. For areas of proposed seeding, clear all grass and perennial vegetation including brambles, suckering and epicormic growth to ground level, apply herbicide and cultivate to a fine bith in preparation of seeding. All rubbish, debris and existing **redundant** infrastructure to be removed. Stone picking of all stones and debris over 25mm to be undertaken. All trees and shrubs to be retained to be protected during works in line with BS5837:2012.

**Topsoil**

Existing topsoil must be cultivated in accordance with BS 3882:2015 outside RPAs of existing trees. No cultivation should take place in wet/waterlogged conditions and within the RPAs of existing trees.

**Trees**

Trees will be planted as Feathered trees (150-175 cm) and Selected / Heavy Standard (300-425cm), pit planted to accommodate all the roots and provided with a supporting stake and 1.2m high tree shelter.

**Native Species Woodland and Shrub Mix**

Plants shall be randomly mixed throughout the woodland in odd numbers of 1/3 or 5. Planting shall be at the specified density and notch planted.

**Native Species Hedgerow Mix**

Hedge to comprise of a double staggered row, 450mm between rows and 5 plants per linear meter. Species to be planted randomly throughout the rows in groups of 3 or 5. Plants to be trench planted in a trench with a minimum 600mm (w) and 450mm (d).

**Mulch**

Trees and Shrubs  
Plants to receive a minimum of 200mm (radius) and 75mm (d) of bark mulch to the base of each plant.

**Hedge**

Hedge to receive a minimum of 600mm (w) and 75mm (d) of bark mulch along the length of proposed hedgerows.

**Plant position**

Final position of trees and shrubs subject to confirmation of service location and approval of statutory undertakers. Allow for location of service information prior to work commencing on site.

**Grass Seeding**

All seeding to be sown as per manufacturers specification.

**Planting Season**

Bare-root shrubs to be planted between mid-November and mid-March dependant upon the planting season.

**Planting Schedule**

Specimen Tree Planting	Number	Abbreviation	Species	Height	Specification
	9	Agf	Alnus glutinosa	150-175cm	2x BR Feather
	88	Agl	Alnus glutinosa	350-425cm	3x Heavy Standard; 5 breaks; RB
	66	Ptr	Populus tremula	350-425cm	3x Heavy Standard; 5 breaks; RB
	8	Qr	Quercus robur	150-175cm	2x BR Feather
	66	Qr	Quercus robur	300-350cm	2x Selected Standard; 4 breaks; RB
	5	Sf	Salix fragilis	250-300cm	2x Light Standard; 3 breaks; B
Total :242 -					

Native Species Shrub Mix	Number	Abbreviation	Species	Height	Specification	Spacing
	71	Ac	Acer campestre	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	71	Cav	Corylus avellana	60-80cm	1+2 :Transplant - seed raised; branched; 3 breaks; B	0.5m <sup>2</sup>
	210	Cm	Crataegus monogyna	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	210	Psp	Prunus spinosa	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	71	Rca	Rosa canina	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	71	Sci	Salix cinerea	60-80cm	0/1; Cutting; branched; 2 breaks; B	0.5m <sup>2</sup>
Total :704 -						

Native Species Woodland Mix	Number	Abbreviation	Species	Height	Specification	Spacing
	229	Ac	Acer campestre	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	229	Agl	Alnus glutinosa	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	153	Cav	Corylus avellana	60-80cm	1+2 :Transplant - seed raised; branched; 3 breaks; B	0.5m <sup>2</sup>
	153	Cm	Crataegus monogyna	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	153	la	Ilex aquifolium	60-80cm	Leader with laterals; C, 3L	0.5m <sup>2</sup>
	153	Psp	Prunus spinosa	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	229	Qr	Quercus robur	60-80cm	1+1 BR :Transplant	0.5m <sup>2</sup>
	229	Sf	Salix fragilis	60-80cm	0/1; Cutting; B	0.5m <sup>2</sup>
Total :1528 -						

Native Species Hedgerow Mix	Number	Abbreviation	Species	Height	Pot Size	Specification	Spacing
	225	Ac	Acer campestre	60-80cm		1+1 BR :Transplant	5m
	57	Cav	Corylus avellana	60-80cm		1+2 :Transplant - seed raised; branched; 3 breaks; B	5m
	560	Cm	Crataegus monogyna	60-80cm		1+1 BR :Transplant	5m
	23	la	Ilex aquifolium	60-80cm	3L	Leader with laterals; C	5m
	23	Lp	Lonicera periclymenum	60-80cm	2L	C	5m
	168	Psp	Prunus spinosa	60-80cm		1+1 BR :Transplant	5m
	23	Rca	Rosa canina	60-80cm		1+1 BR :Transplant	5m
	23	Sau	Sorbus aucuparia	60-80cm		1+1 BR :Transplant	5m
	23	Vo	Viburnum opulus	60-80cm		1+2 :Transplant - seed raised; branched; 3 breaks; B	5m
Total :1125 -							

- Native Species Hedgerow Mix**
- 35 No. Ac 20%
  - 9 No. Cav 5%
  - 86 No. Cm 50%
  - 4 No. la 2%
  - 4 No. Lp 2%
  - 26 No. Psp 15%
  - 4 No. Rca 2%
  - 4 No. Sau 2%
  - 4 No. Vo 2%

- Native Species Shrub Mix**
- 6 No. Ac 10%
  - 6 No. Cav 10%
  - 18 No. Cm 30%
  - 18 No. Psp 30%
  - 6 No. Rca 10%
  - 6 No. Sci 10%

- Native Species Shrub Mix**
- 23 No. Ac 10%
  - 23 No. Cav 10%
  - 69 No. Cm 30%
  - 69 No. Psp 30%
  - 23 No. Rca 10%
  - 23 No. Sci 10%

- Native Species Shrub Mix**
- 17 No. Ac 10%
  - 17 No. Cav 10%
  - 50 No. Cm 30%
  - 50 No. Psp 30%
  - 17 No. Rca 10%
  - 17 No. Sci 10%

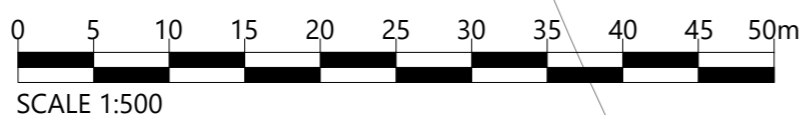
- Native Species Shrub Mix**
- 25 No. Ac 10%
  - 25 No. Cav 10%
  - 73 No. Cm 30%
  - 73 No. Psp 30%
  - 25 No. Rca 10%
  - 25 No. Sci 10%

- Native Species Woodland Mix**
- 229 No. Ac 15%
  - 229 No. Agl 15%
  - 153 No. Cav 10%
  - 153 No. Cm 10%
  - 153 No. la 10%
  - 153 No. Psp 10%
  - 229 No. Qr 15%
  - 229 No. Sf 15%

- Native Species Hedgerow Mix**
- 190 No. Ac 20%
  - 48 No. Cav 5%
  - 474 No. Cm 50%
  - 19 No. la 2%
  - 19 No. Lp 2%
  - 142 No. Psp 15%
  - 19 No. Rca 2%
  - 19 No. Sau 2%
  - 19 No. Vo 2%

**KEY**

- Site Boundary
- Existing Overhead Powerline
- 3m Buffer of Existing Overhead Powerline
- Category B tree as defined by BS5837:2012 MODERATE Quality value
- Category C tree as defined by BS5837:2012 LOW Quality value
- Existing Vegetation to be Retained
- Existing Grassland to be Retained
- Existing Vegetation to be Removed
- Existing Approximately 2m High Embankment
- Proposed Native Species Trees - Selected Standard and Heavy Standard Trees (3.0 - 4.25m tall at time of planting)
- Proposed Native Species - Feathered Trees (1.25-2.25m tall at time of planting)
- Proposed Native Species Hedgerow Mix
- Proposed Native Species Shrub Mix
- Proposed Native Species Woodland Mix
- Proposed Tussock Grassland
- Proposed Wet Meadow
- 2.40 m high Palisade Fencing Plus 1 m Additional Electric Fencing
- Proposed Unbound Aggregate Access Track
- Proposed Tarmac Access
- Proposed Birds Box
- Proposed Bats Box
- Visibility Splay



Amended mitigation planting proposals based on Arcus drawing 3403-DR-LAN-101, Rev A, 24.05.21 - Landscape and Biodiversity Mitigation Plan

**tr collective**  
LANDSCAPE ARCHITECTS

Blitania House, Carrilly Business Park, Ven Road, Carrilly, Co. Wick  
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TC22068 LP.01 v1.dwg

**Monk Fryston Zero-Carbon Energy Storage and Management Facility**



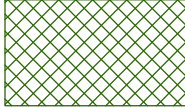

**Planting Proposals**

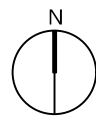
TC22068-LP.01v1

Scale 1:500 @ A1 | 20 May 2022

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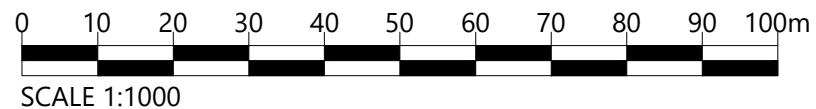
**KEY**

-  Potential Habitat Enhancement Area
-  Existing Woodland to be Retained
-  Proposed Native Species Shrub Mix  
Approx. Total Area: 7342m<sup>2</sup>  
Native Species Shrub Mix, 0.2/m<sup>2</sup>
-  Proposed Wildflower Grassland  
Approx. Total Area: 2128m<sup>2</sup>  
EM3 - Special General Purpose Meadow Mixture, Emorsgate, 4g/m<sup>2</sup>

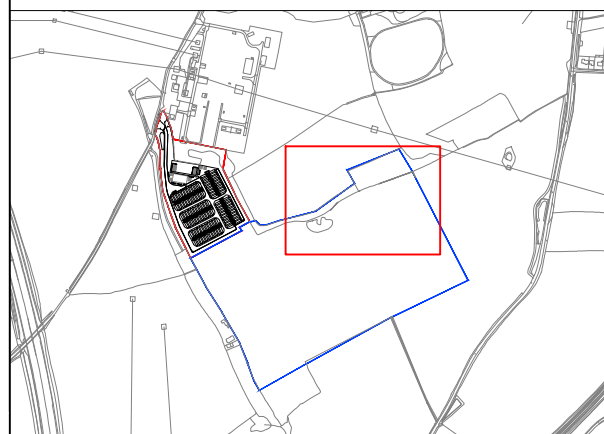


**Native Species Shrub Mix**

- 147 No. Ac 10%
- 147 No. Cav 10%
- 441 No. Cm 30%
- 441 No. Psp 30%
- 147 No. RCA 10%
- 147 No. Sci 10%



**SITE LOCATION PLAN** SCALE:1:20000



REVISION SCHEDULE		
Rev	Date	Description
A	07.06.21	Additional wildflower planting

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STATUS: **FOR PLANNING**

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GRID REFERENCE: SE 484288

PROJECT: Monk Fryston Zero-Carbon Energy Storage and Management Facility

TITLE: Offsite Landscape Enhancement Plan

CLIENT: UK Power Associates Ltd

DATE: 02.06.21 SCALE: 1:1000@A3

DRAWN: WM DRAWING NO.: 3403-DR-LAN-102

CHECKED: LH REVISION: A



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www.arcusconsulting.co.uk



**PLANTING NOTES**

The handling of plants to be in accordance with National Plant Specification 'Handling and Establishing Landscape Plants'. All plants and planting operations are to comply with the requirements and recommendations of all current relevant British Standard specification including but not limited to:

- BS 8545. Trees: From Nursery to Independence in the Landscape
- BS 3936-1:1992. Nursery stock. Specification for trees and shrubs
- BS 3882:2015 - Specification for topsoil
- BS 4428:1989. Code of practice for general landscape operations (excluding hard surfaces) (AMD 6784)
- BS 5837: 2012 Trees in relation to design, demolition and construction. Recommendations

All planting to be carried out during appropriate climatic conditions from mid-November to mid-March. Existing topsoil and/or imported, clean/inert horticultural ameliorants from sustainable sources. Contractor to satisfy themselves with measurements on site and the full extent of works before pricing.

**Clearance**

Cut back all grass and perennial vegetation including brambles, suckering and epicormic growth to a height of 25-50mm across site. For areas of proposed seeding, clear all grass and perennial vegetation including brambles, suckering and epicormic growth to ground level, apply herbicide and cultivate to a fine tilth in preparation of seeding. All rubbish, debris and existing **redundant** infrastructure to be removed. Stone picking of all stones and debris over 25mm to be undertaken. All trees and

shrubs to be retained to be protected during works in line with BS5837:2012.

**Topsoil**

Existing topsoil must be cultivated in accordance with BS 3882:2015 outside RPAs of existing trees. No cultivation should take place in wet/ waterlogged conditions and within the RPAs of existing trees.

**Native Species Shrub Mix**

Plants shall be randomly mixed throughout the woodland in odd numbers of 1/3 or 5. Planting shall be at the specified density and notch planted with a circle of bark mulch (500mm from the base of each tree/ shrub) to suppress weeds and reduce competition.

**Mulch**

Tree/ shrub and Hedge planting to receive 75mm depth pulverised bark mulch.

**Plant position**

Final position of trees and shrubs subject to confirmation of service location and approval of statutory undertakers. Allow for location of service information prior to work commencing on site.

**Grass Seeding**

All seeding to be sown as per manufacturers specification.

**Planting Season**

Bare-root shrubs to be planted between mid-November and mid-March dependant upon the planting season.

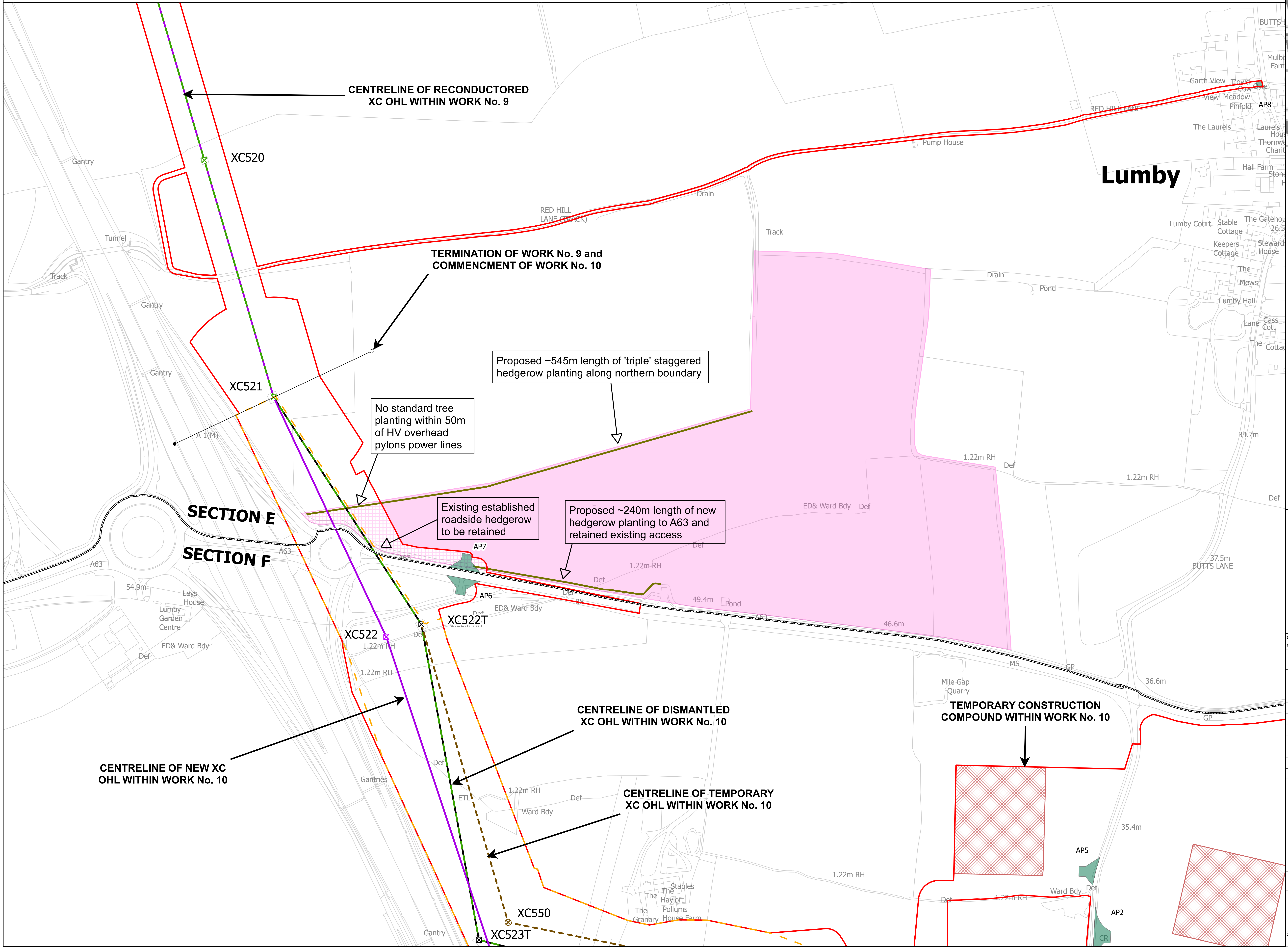
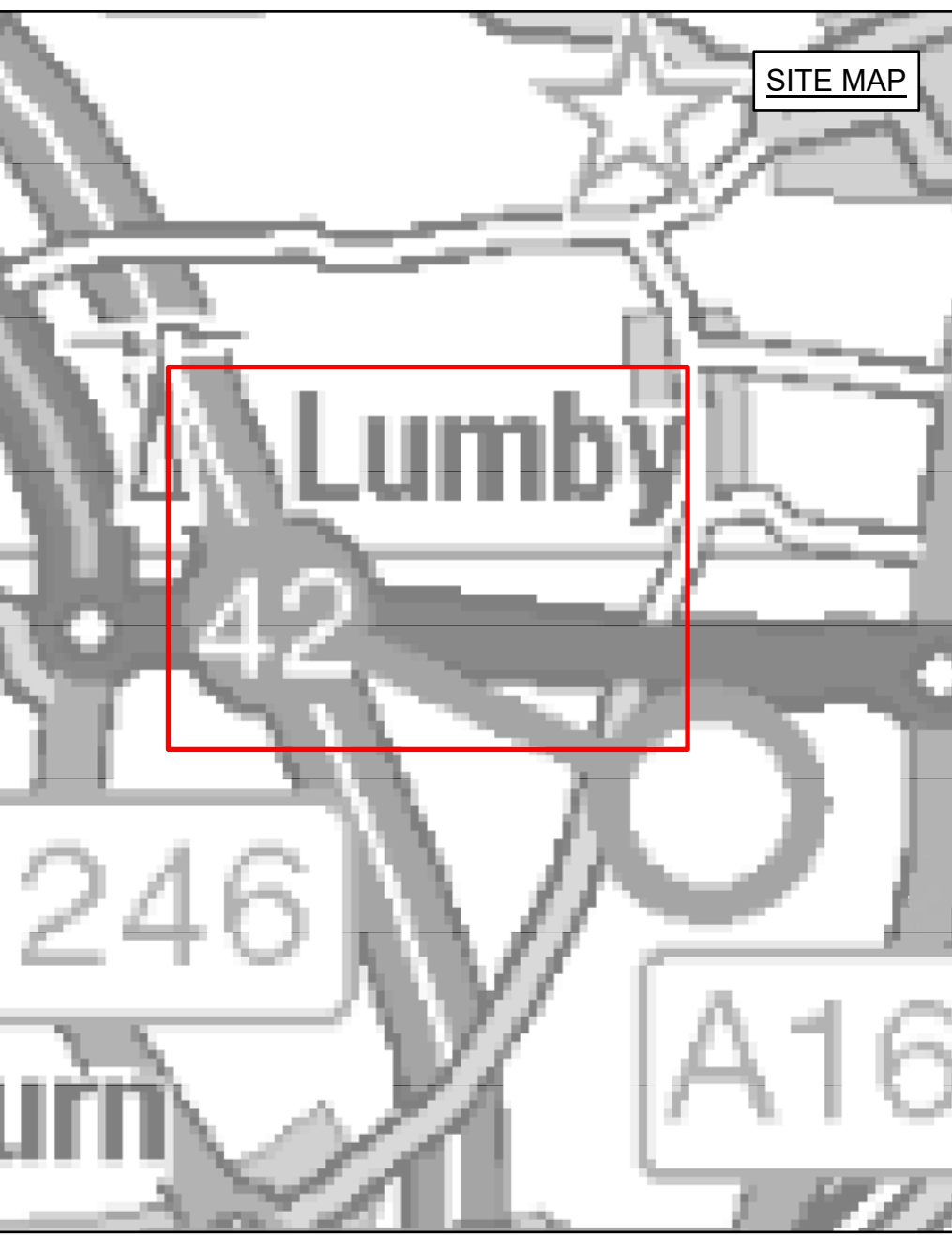
**Planting Schedule**

Native Species Shrub Mix						
Number	Abbreviation	Species	Height	Specification	Spacing	
147 -	Ac	Acer campestre	60-80cm	1+1 :BR :Transplant	0.2/m <sup>2</sup>	
147 -	Cav	Corylus avellana	60-80cm	1u1 :BR :Transplant	0.2/m <sup>2</sup>	
441 -	Cm	Crataegus monogyna	60-80cm	1+1 :BR :Transplant	0.2/m <sup>2</sup>	
441 -	Psp	Prunus spinosa	60-80cm	1+1 :BR :Transplant	0.2/m <sup>2</sup>	
147 -	Rca	Rosa canina	60-80cm	1+1 :BR :Transplant	0.2/m <sup>2</sup>	
147 -	Sci	Salix cinerea	60-80cm	1+1 :BR :Transplant	0.2/m <sup>2</sup>	
Total :1470 -						

# Appendix E Proposed Lumby Quarry Plan - For Information Only



NATIONAL GRID (YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT) ORDER  
 PROPOSED LUMBY QUARRY PLAN - FOR INFORMATION ONLY  
 SHEET 1 OF 1



- LEGEND**
- SECTION BOUNDARY
  - TERMINATION AND COMMENCEMENT OF WORKS
  - ORDER LIMITS
  - ORDER LIMITS & LIMITS OF DEVIATION - LINEAR WORKS
  - LIMITS OF DEVIATION - LINEAR WORKS
  - ⊗ INDICATIVE NEW LATTICE PYLON
  - ⊗ INDICATIVE TEMPORARY STRUCTURE
  - ⊗ EXISTING LATTICE PYLON - TO BE MODIFIED
  - ⊗ EXISTING LATTICE PYLON - TO BE DISMANTLED
  - INDICATIVE NEW OVERHEAD LINE (OHL)
  - INDICATIVE TEMPORARY OVERHEAD LINE (OHL)
  - EXISTING OVERHEAD LINE (OHL) - TO BE RECONDUCTORED
  - EXISTING OVERHEAD LINE (OHL) - TO BE DISMANTLED
  - INDICATIVE ACCESS POINT
  - TEMPORARY CONSTRUCTION COMPOUND
  - PROPOSED LUMBY QUARRY APPLICATION SITE
  - PROPOSED LUMBY QUARRY APPLICATION SITE WITHIN YORKSHIRE GREEN ORDER LIMITS
  - LUMBY QUARRY PROPOSED TREE AND HEDGEROW PLANTING

**Notes**

This drawing is scaled at paper size A0, therefore any prints taken at smaller sizes will affect accuracy of the measurement units and should not be scaled against.

This plan shows an indication of the interaction of the Yorkshire GREEN Project Order Limits with the proposed Lumby Quarry planning application boundary. It also provides an indication of the Lumby Quarry advance planting in, and in close proximity to, the Yorkshire GREEN Order Limits only. This information has been taken from the Lumby Quarry Landscape Strategy - Advance Planning Figure (reference 2955-4.1.3, dated 01/03/2023). Readers should refer to that plan for information on the wider advance planting proposals for Lumby Quarry.

These plans are indicative and for information only.

Coordinate System: British National Grid  
 Sheet X Centroid Coordinate: 445986 Sheet Y Centroid Coordinate: 441773

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Issue	Date	Remarks	Drawn	Checked	Approved
A	26/04/2023	FOR DEADLINE TWO	MTH	SF	EMD

**Title**

NATIONAL GRID  
 (YORKSHIRE GREEN ENERGY  
 ENABLEMENT PROJECT) ORDER  
 PROPOSED LUMBY QUARRY PLAN  
 FOR INFORMATION ONLY  
 SHEET 1 OF 1

nationalgrid			
Application Number	EN020024		
National Grid Drawing Reference			
DCO/D2/ExQ1.1.2.5			
Scale	Sheet Size	Sheet	Issue
1:2000	A0	SHEET 1 OF 1	A



# Appendix F      Payments Schedule For New Electricity Transmission Assets

# Payments schedule for new electricity transmission assets



## 1. EASEMENT PAYMENT TO LANDOWNER

### Per tower & associated oversail:

Permanent grass land – £6000  
(or proportion based on land ownership)

Arable land – £8000  
(or proportion based on land ownership)

**Per oversail** (where no tower rights required):

0-49m	50-99m	100m+
£500	£750	£1000

### Underground cable per metre run:

80% of agreed land value over the easement width (minimum land value £7500/hectare). Minimum easement payment – £500.

### Easement Payment Instalments

- 25% payable on completion of Agreement to Grant an Easement
- 50% payable on taking entry onto land for construction under Agreement to Grant an Easement
- 25% on completion of Easement following construction together with any other payment already agreed

Under the terms of the Agreement to Grant an Easement and following the grant of a Development Consent Order, National Grid will have an option to take entry onto land to construct new electricity transmission assets and following construction to complete the Easement.

**Easement for access over third party land for construction and future maintenance activities:**  
£1000 per tower accessed.

## 2. INJURIOUS AFFECTION

National Grid acknowledges that any proposed new work may cause concern to landowners. In addition to the other payments outlined, ‘**injurious affection and any other appropriate Heads of Claim**’ will be considered on an individual basis in accordance with current legislation.



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### 3. PAYMENTS FOR SURVEYS AND INVESTIGATION WORKS

Whilst voluntary agreement is always sought, National Grid has statutory rights to gain access to land for surveys and investigation works. As a result these payments are not payments for the grant of access rights, but are payments in recognition of damage and disturbance that potentially may be caused by survey and investigation works.

The initial walkover assessment to determine potential survey requirements will not attract a payment. However for any actual surveys, boreholes etc undertaken, National Grid will make the following payments:-

#### **Surveys:**

£250 per land holding for a 12 month period.

For night time visits between 21:00 – 06:00 - £250 for a 12 month period.

#### **Boreholes:**

A one off payment for boreholes of £250 per borehole.

#### **Trial pits:**

A one off payment for trial pits/holes of £250 per trial pit.

#### **Water monitoring equipment:**

£150 per gauge per 12 month period per land holding to cover site visits.

**Any damage in excess of the above figures** would be agreed on an individual basis (on production of evidence and proof of loss).

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### 4. CROP LOSS, DAMAGE AND DISTURBANCE CLAIMS

These will be paid on a proven loss basis.

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### 5. LAND ACQUISITION

Land acquisitions (permanent or temporary) will be agreed on an individual basis.

---

### 6. AGENTS' FEES (paid via landowner/occupier)

Fixed fee of £150 for professional land agency services in relation to the return of a completed and signed land interests data sheet for each landholding declaring all known land interests.

Single fixed fee of £250 per land holding in relation to survey and investigation works.

Agents fees for negotiating an Agreement to Grant an Easement and for additional compensation (damage or injurious affection) will be based on the current published National Grid Payment of Surveyors' Fees document.



## Appendix G Response to Q4.3.3

### 1.1 Q4.3.3

#### 1.1.1 Consulting Persons with an Interest in Land (PILs) under PA2008 sections 42(1)(d) and 44

1.1.2 Further to the description of the process of consulting PILs in the Consultation Report [APP195], Section 6.3 and the responses [APP-195], Table 7.3 provide a précis table of the account that has been taken of responses in the location, routeing and design of the Proposed Development in considering CA alternatives, together with reasons where changes have not been made. The location of the requested change or response should be clearly stated e.g., by pylon number, road name, substation or CSEC etc.

### 1.2 Response

1.2.1 The table below provides an extract of Landowner (LO) responses within **Table 7.3 of the Consultation Report (Document 6.1) [APP-195]** and the additional column provides the location to which the requested change or response relates.

Table 1.3 – Table summarising LO responses to statutory consultation, National Grid’s responses to these comments and the relevant plan/location.

Consultee	Response	Change (Y, N or N/A)	National Grid’s response (including the regard had to the consultation response)	Relevant Plan/Location
<b>Section 42(d) consultees</b>				
LO1	I refer to your recent letter dated 28 October 2021 and write to confirm that Hogg Builders (York) Limited ceased to trade and entered into liquidation on 25 May 2016. Can you please update your records accordingly.	N/A	Comment noted. Our records have been amended accordingly.	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO2	<p>HOLDING OBJECTIONS</p> <p>Whilst we do not object to the aims of the DCO, the proposed works potentially impact on several of our sites. We expand on our holding objections as they relate to each Cellnex asset below:</p> <p><b>Section A –Osbalwick Sub-Station</b></p> <p>Cellnex has a single asset within Section A that could be impacted by the proposed works at the Osbalwick Sub-Station as follows:</p> <p>Existing mast site at Osbalwick Sub Station, Murton Way, Osbalwick, York, YO10 3JB (NGR: 464193E 451630N)</p> <p>This mast site is located within the edge red boundary of the DCO area at the sub-station. Although Cellnex UK does not own or operate the 41m high lattice mast at this site it does operate ground based equipment (at the base of the mast) that supports communications operators equipment situated on the mast.</p> <p>The potential impacts of the proposed works require further investigation but could include the following:</p>	N/A	<p>A further meeting was held with Cellnex in May 2022. At this stage, Cellnex advised that it was too early to engage for removal of cellular units from National Grid pylons and this should be approached in 2023. National Grid provided additional information from design for Cellnex to perform line of sight modelling. National Grid is awaiting feedback on this survey. Engagement on both these matters is on-going.</p>	<p><b>Document 2.6.1(B) [REP1-004]</b>, Works Plan Section A, Sheet 1 of 1.</p> <p>Location: Osbalwick Substation</p> <p>Part of Work No. 1</p> <hr/> <p><b>Document 2.6.3(B) [REP1-006]</b>, Works Plan Section C, Sheet 2 of 9.</p> <p>Location: Near to pylons XC436 and XC437 (NGR: 450250E 454305N).</p> <p>Part of Work No. 7</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>i. <b>Operational/Technical Impacts</b>—It will need to be established whether the existing mast and ground based equipment can remain in situ or will require relocating as part of the proposed works at the sub-station. If the mast remains in situ it will be necessary to ensure that the proposed works including the new gantry structure does not impact on the operation of the mast site. Technical impacts will require assessment and any required mitigation measures agreed with National Grid so that services currently provided from the mast are not impacted by any development associated with the DCO.</p>			<p><b>Document 2.6.4(B) [REP1-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: Near to pylon XC484. (NGR: 445852E 440988N)</p> <p>Part of Work No. 9</p>

	<p>ii. <b>Access Arrangements</b>—Existing access arrangements to the site may be impacted by the proposal</p> <p>iii. <b>Power and Fixed Line Provision</b>—Given the proximity of the proposed works any provision of services to the site could be affected.</p> <p>iv. <b>Construction</b>—There is a possibility that, due to proximity, the construction works could impact the operation of the mast site in terms of dust, vibration and the operation of plant and machinery blocking signal propagation and line of sight. We will therefore require mitigation measures to be put in place to safeguard our operations from the site.</p> <p>Cellnex has a further two assets that are located outside of the edge red of the DCO but in close proximity to its boundary. Details are as follows:</p> <p>Section C –Reconductoring Works to North of Tadcaster</p> <p>Existing mast site, Moor Monkton Grange, Moor Monkton, York, YO26 8JN (NGR: 450250E 454305N)</p> <p>Cellnex UK operates a 20m high lattice mast from this location which is situated approximately 15m to the north of the DCO boundary.</p> <p>Section D –Tadcaster Area</p> <p>Existing mast site, Gas Distribution Centre, South of A64, Stutton, Tadcaster, LS24 9NL (NGR: 445852E 440988N)</p>			<p><b>Document 2.6.3(B)</b>  <b>[REP1-006]</b>, Works Plan Section C, Sheet 2 of 9</p> <p>Location: West of pylons XC436 and XC437.</p> <p>Part of Work No. 7</p> <p>And</p> <p><b>Document 2.6.4(B)</b>  <b>[REP1-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: West of pylon XC484.</p> <p>Part of Work No. 9</p>
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	<p>Cellnex UK operates a 15m high lattice mast from this location which is situated approximately 250m to the west of the DCO boundary</p> <p>The potential impacts of the proposed works require further investigation but are likely to include the following:</p> <ul style="list-style-type: none"> <li>i. Operational/Technical Impacts – The introduction of new infrastructure including pylons at Section D, an increase in cabling at Section C and the provision of cable sealing compounds with gantries and the proximity of the construction compounds at Section D could impact on the signal propagation from antennas and line of sight linkage of transmission dishes located on the masts. Technical impacts will require assessment and any required mitigation measures agreed so that services currently provided from the masts are not impacted by any development associated with the DCO.</li> <li>ii. Access Arrangements – Existing access arrangements to the two sites may be impacted by the proposals. Further information is required to determine whether mitigation is required.</li> <li>iii. Power and Fixed Line Provision – Given the proximity of the proposed works any impact on the provision of services to the two sites will need to be assessed.</li> <li>iv. Construction – In order to assess any impact on line of sight transmission dish links at our Stutton mast, details of the cable sealing compounds and the proposed use of the temporary construction</li> </ul>			
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	<p>compounds will be required including the height and location of any infrastructure and any plant, machinery of stacked portacabin offices that could be located at the compounds. Also, there is a possibility that, due to proximity, the construction works could impact the operation of both masts in terms of dust, vibration and the operation of plant and machinery blocking signal propagation and line of sight linkage. We will therefore require mitigation measures to be put in place to safeguard our operations from the two sites to address the above.</p> <p>The public and sustainable development benefits of mobile connectivity are now well-understood and we are in an electronic communications revolution with businesses and society in general using and relying upon all forms of modern communications to an ever-increasing extent. The protection of the above sites and the wireless communication services provided from them is clearly in the public interest as the loss of or impact on these services has the potential to affect several thousand mobile communications users.</p> <p>Whilst setting out our holding objections within this consultation response, we would welcome the opportunity for early dialogue with National Grid to address the objections and to minimise issues through negotiation and agreement. We would therefore be pleased to have contact with National Grid in this regard.</p>			
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO3	<p><i>(Having viewed the location of the proposed new cable sealing end compounds, pylon, and underground cables, as shown in Figure 7 on page 27 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>We support the overall scheme and the proposals which are laid out in the Tadcaster area and have no objections to the pylon improvement works in principle.</p>	N/A	Comment noted, supporting the overall project and proposals in the Tadcaster Area.	<p><b>Document 2.6.3(B) [REP1-006]</b>, Works Plan Section C, Sheet 9 of 9. and <b>Document 2.6.4(B) [REP1-007]</b> Works Plan Section D, Sheet 1 of 2</p> <p>Location: Tadcaster Cable Sealing End Compounds (CSEC), overhead line and underground cable in the Tadcaster area.</p> <p>Part of Work No. 7 and 8</p>

	<p>We do however have serious objections relating to the proposed field entry near the Toulston Lane junction with the A659 immediately northeast of Toulston Grange.</p> <p><i>(Is there anything else you would like to tell us about your response to Q15?)</i></p> <p>We raise objections to the proposed field access near the Toulston Lane junction with the A659 based on the following:</p> <ul style="list-style-type: none"> <li>- The section n of road in question (A659) is in a 40mph zone. The visibility splay proposed is 215m which are the requirements for a 60mph highway. The visibility splay for this site entry point should be 120m in line with the speed restrictions in place.</li> <li>- The current proposed visibility splay would require the removal of part of an established woodland with large, irreplaceable trees. It would also require the removal of a substantial section of dry-stonewall which has been in situ and maintained for decades.</li> <li>- The wall is in part a boundary to Toulston Grange but also acts as a safety barrier to the remains of a quarry inside the property. There is an immediate severe drop several metres down to the quarry floor. The removal of this wall will also remove the protection to passing vehicles &amp; pedestrians from this danger.</li> <li>- The area around the junction of Toulston Lane/A659 is a road traffic accident blackspot. There have been several fatalities in this location</li> </ul>	Y	<p>Following consideration through the Design Change process, National Grid has altered the Project in line with the request of this consultee.</p> <p>The design was based on a worst-case scenario, with all bellmouths having assumed visibility splays at 60mph. Following further design work, and some speed surveys, National Grid have revised visibility splays to take account of the speed of the roads. In the area around Toulston road, two of the visibility splays reduced to 120m and another access deemed to have sufficient existing visibility and no requirement for a visibility splay.</p> <p>The location of bellmouths and visibility splays has been discussed with the relevant Highway Authority, and where necessary, speed surveys have been undertaken to inform visibility splays.</p>	<p><b>Document 2.6.3(B) [REP1-006]</b>, Works Plan Section C, Sheet 9 of 9.</p> <p>Location: Access road between pylon XC477 and XC476</p> <p>Part of Work No. 7</p>
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>during the time [REDACTED] have lived at the property and they have sadly witnessed this first-hand on more than one occasion. Adding the danger of slow-moving heavy goods vehicles accessing/egressing the site entrance to an already dangerous section of road is adding to the risk already present.</p> <ul style="list-style-type: none"> <li>- The pedestrian crossing located around halfway between both your proposed access locations was created a suitable distance from the blind corner for children to cross to the local school as safely as possible proving the highway authority are aware of the dangers this corner already presents.</li> <li>- Using the dangerous west site entrance to service the pylons to the North of the A659 will also mean the destruction of a portion of established field hedging. Using the proposed entrance further to the East on the straight section of Roman Road would not involve the destruction of any hedges.</li> <li>- The removal of any of the woodland, trees and hedges would not only destroy established and cherished vegetation but also have an ecological impact in the destruction of wildlife habitats and ecosystems. It is mentioned in your preliminary</li> </ul>			

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>report (section 5.2.11) that the infrastructure of the pylons and substations have been located to avoid the loss of hedgerows and trees and to protect them where possible. Opting for the proposed site entrance in question would undoubtedly go against all these measures set out. Using the proposed entrance to the East of the A659 would not require any removal of trees or hedges that we can see as it is located on a straight section of road with immediate free access to the pylons.</p> <p>- We have proposed an alternative access location (see attached plan) that is around halfway between the two access locations you have proposed. Although the creation of this access would involve the temporary removal of the field hedge forming the boundary with the highway, it will prevent the far greater ecological harm that would be brought about by the destruction of the woodland at Toulston Grange. It would also move the access away from the blind corner thus minimising highway safety concerns and reduce residential amenity impact with regards to all properties. It will also prevent any destruction to the mature field hedge next to Pylon XC476.</p> <p>We have drafted a plan (Ref: 6765/01) to be viewed in conjunction with this letter and attached both to the issuing email. We trust these points will be taken into consideration when the decision is made as to which site entrance is preferable. We are not in</p>			

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>opposition to the overall proposal and are supportive of the works to be carried out. We have very grave concerns regarding the thought that has gone into the proposed site entrance in question and the repercussions if it were used. Please do not hesitate to contact me if you have any queries or require any further information.</p>			
LO4	<p><i>(Is there anything else you would like to tell us about your response to Q2 and Q3?)</i></p> <p>██████████ are supportive of proposals which will assist in achieving net zero. They are themselves in discussions regarding potential renewable energy and grid stabilisation projects.</p> <p><i>(Is there anything else you would like to tell us about your response to Q17?)</i></p> <p>██████████ are broadly supportive of proposals however there are various points which they would appreciate being considered in order to mitigate the</p>	Y	<p>Comments noted in respect of support for achieving Net Zero.</p> <p>National Grid has altered the location of the Monk-Fryston western compound in line with comments received from this consultee, providing a sufficient 40m buffer to the west to allow for continued agricultural access. In addition to this, following further engagement with the landowner, the northern and southern accesses off the east of</p>	<p><b>Document 2.6.6(B) [REP1-009]</b>, Works Plan Section F, Sheet 1 of 1.</p> <p>Location: Temporary construction compound North of Pylon XC525, near Rawfield Lane, Monk Fryston area.</p> <p>Part of Work No. 10</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>negative impacts of their property. We summarise these below:</p> <ul style="list-style-type: none"> <li>- As discussed with [REDACTED] at the site meeting on 17 November the proposed compound area in the field to the North of Pylon XC525 is relocated along the southern boundary of the same field, maintaining a 40m field gateway to the western edge of the field for continued agricultural access. Areas which are to continue being farmed around the working areas need to be at 40m wide to be cultivatable with the farm's existing machinery.</li> <li>- Entrance points to the field will need to be limited to ensure security is maintained, damage to the field headlands is limited and safety issues are minimised. Gates should be included at any entrance points. We would suggest a single access point would be preferable. The central access point on the proposed plans is considered to be the safest option for vehicles. Any mud and debris on highways must be cleared as soon as possible and appropriate signage installed.</li> </ul>		<p>Rawfield Lane have been removed in line with the landowner's request, with the retention of only the proposed central bellmouth.</p>	

	<p>- There are ongoing issues with unauthorised access to the site by unauthorised personnel to the extent that neighbouring farmers have established a farm watch group and the police are being notified of all such incidents. It is imperative that all parties who are working on site are authorised to be there by the respective landowners with appropriate notice having been provided. All contact is understood to be through [REDACTED] not third-party contractors.</p>	N/A	<p>We note the requirements for communication and security issues. The Project will always try to work with landowners to accommodate such requests. During construction there will be a point of contact for landowners to liaise with over access to land.</p> <p>A Code of Construction Practice (CoCP) (<b>Volume 5, Document 5.3.3B</b>) has been prepared in support of the Environmental Statement to accompany the Application. The CoCP aims to ensure that adverse effects from the construction phase of the Project, on the environment and the local communities, are minimised. The CoCP includes measures in relation to security ensuring control of unauthorised entry to or exit from site. Access to the temporary construction compounds will be limited to specified entry points only and personnel entries/exits will be recorded and monitored for both security and health and safety purposes.</p>	N/A
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<ul style="list-style-type: none"> <li>- The location of the borehole will need to be discussed on site prior to the commencement of works. Ideally the borehole will be offset from the tramline to reduce the impact on farming activities.</li> <li>- The towers for cables should be tweaked as discussed on site to minimise the impacts on agricultural operations, ideally being located c.15m from each tramline.</li> <li>- Appropriate measures will need to be in place to ensure that roadways and the public highway are cleaned and maintained at all times.</li> <li>- It would be preferable for the route to follow as closely as possible the existing route of the pylons, with a spur off to the north into the new substation. In particular could XC524 be located as close as possible to XK044 and XC523 as close as possible to the boundary of the field. Would it be possible for XC525 to be located within the boundary of the existing substation where XC525T is currently located?</li> </ul>	N	<p>The location and timing of this borehole was discussed in a meeting with this landowner. National Grid secured access to undertake the survey voluntarily and this has since been undertaken.</p> <p>Any works required as part of the Project would be subject to a Construction Traffic Management Plan which has been submitted to accompany the Application (<b>Volume 5, Document 5.3.3F</b>) The CTMP sets out the measures proposed to minimise disruption to users of the road network and nearby residential properties and includes measures relating to the</p>	<p>N/A</p> <p><b>Document 2.6.6(B) [REP-009]</b>, Works Plan Section F, Sheet 1 of 1.</p> <p>Location: Pylons XC524 and XC525.</p> <p>Part of Work No. 10</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<ul style="list-style-type: none"> <li>- We understand that the timescales are currently proposed as follows which appear to be broadly acceptable:               <ul style="list-style-type: none"> <li>o Bore hole to be drilled in January 2022 with a 12-month timeframe.</li> <li>o Compound installed from September 2024, remaining to September/ October 2027 - crops will need to be harvested prior to the compound installation therefore appropriate notice and consideration of weather conditions will be needed.</li> </ul> </li> <li>- Removed pylons will have the foundations cut to a minimum of 1.5m depth to prevent damage to equipment.</li> <li>- Pylon XC517 and XC518 - A single access point (currently existing) should be used and the existing access track up the side of the field limiting vehicular movements on the cultivated area would be most suitable.</li> </ul>		<p>cleaning of vehicles and highway condition.</p> <p>It was not possible for the new route to follow the existing route, and for XC525 to be located in the boundary of the existing substation where XC525T is located due to the need to connect the XC overhead line into the new Monk Fyston 400kV substation. XC523 has been sited as close to the edge of the field boundary as possible to allow sufficient room for construction, and XC524 has been located as close to XK044 as possible to allow sufficient clearance between the two pylons during construction.</p> <p>Comments on the timescales for the preliminary works are noted. The boreholes have now been installed. With respect to the compound, National Grid will try where possible to work around crop cycles, however where this is not possible, we</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			<p>will compensate landowners for their reasonable losses.</p> <p>We can confirm that removed pylons will have the foundations removed to a minimum of 1.5m depth to prevent damage to equipment, and an existing track and entrance way will be utilised to access XC517, and along the field boundary and spur off to XC518.</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>(22. Do you have any additional comments on the Yorkshire GREEN Project or anything contained within the PEIR?)</i></p> <p>The proposal is considered to have a potentially detrimental impact on a significant renewable energy project currently being explored [REDACTED] in relation to the land impacted by Section F of the proposals. It is considered that the proposals may sterilise a significant area of developable land which will represent a substantial loss to the landowner and therefore appropriate compensation will be required unless it is possible to permit solar panels/ battery energy storage to be developed under pylon lines. We would welcome the opportunity to discuss this further. This could be mitigated by the line continuing to follow the existing route to the site of XC525T rather than installing a new tower and line at XC525.</p> <p>The scheme will impact on the ability of [REDACTED] to enter into future Environmental Schemes and claim the Basic Payment Scheme. We assume this will be taken into consideration in any compensation payments and efforts should be made to minimise the productive areas impacted, utilising existing tracks where possible.</p>	N	<p>Solar or battery storage can be installed under the overhead line as long as the required safety clearances are maintained and appropriate access to pylons retained. Should planning consent be in place for the proposal, or land allocated for alternative uses when negotiating the required easements, then the possible loss in value can be taken into account within the settlement, however design should aim to mitigate the potential losses. Compensation for Environmental Schemes and Basic Payment Scheme will be paid where there are proven unavoidable losses.</p> <p>National Grid will be responsible for liabilities arising as a direct result of the Project during construction and operation.</p>	<p><b>Document 2.6.6(B) [REP1-009]</b>, Works Plan Section F, Sheet 1 of 1.</p> <p>Location: Pylons XC525T and XC525.</p> <p>Part of Work No. 10</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>We understand all liability for any public liability, injuries or damage to the site will be National Grid's liability and the landowner will have no liability.</p> <p>We consider it vital that adequate information is provided to the local community to inform them of the extent of the works.</p>		<p>Your comment regarding the provision of adequate information to the local community is noted. A Code of Construction Practice (CoCP) <b>(Volume 5, Document 5.3.3B)</b> has been prepared in support of the Environmental Statement to accompany the Application. The CoCP aims to ensure that adverse effects from the construction phase of the Project, on the environment and the local communities, are minimised. The CoCP includes measures relating to community liaison. National Grid is committed to ensuring that the local community are provided with information regarding relevant construction activities. Information relating to the Project is and would continue to be readily available on the Project website. This would include the Project programme, progress updates, and contact details for the Project so that members of the public or businesses can request</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			<p>information or make an enquiry relating to the construction activities. Furthermore, a community relations team will staff a Project email account and telephone helpline to manage enquiries from the general public and local businesses. Contact details will be widely promoted and displayed at appropriate locations around the site hoarding.</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO5	<p>I am writing this email on behalf of [REDACTED] myself being his tenant.</p> <p>Due to a mail redirection, we did not receive the details of your proposal until the end of November therefore missing the consultation events. Since then I have tried numerous times to contact yourselves in an effort to find out exactly how your proposal will affect us but have been unsuccessful in contacting anyone. The link [REDACTED] is unavailable thus not being able to complete the questionnaire.</p> <p>As we cannot gain the information required to make an informed decision we have no other choice but to strongly object to this proposal</p>	N/A	<p>National Grid issued the freeholder of the property a section 42 notice on 28 October 2021.</p> <p>Subsequently, National Grid issued a section 42 notice to the tenant of the property on 21 December 2021, following their contact and identification as a PIL, giving them until 28 January 2022 to respond.</p> <p>The link provided in the consultee's response does direct the recipient to the Yorkshire GREEN website. National Grid also provided consultees with several methods to respond to the consultation, including through the feedback form online or responding in writing or by email.</p> <p>No further response to the consultation was received and National Grid consider that both the landowner and tenant were provided adequate opportunity</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			<p>to respond to the section 42 consultation.</p> <p>This land has since been removed from the Order Limits as a result of a refinement of the design for access at this location.</p>	



<p>LO6</p>	<p><i>Looking at the proposals for reconductoring works to the north and south of Tadcaster (Section C and Section E) do you have any comments?)</i></p> <p>1. There appears to be a presumption from National Grid in favour of holding their assets under an easement agreement, landowners should have the option to retain their existing wayleave agreements if they so wish.</p> <p>2. The proposed works widely impact arable land at Huddleston Hall. The temporary construction areas and access routes shown leave a number of odd shaped areas of land within fields. These will be difficult to farm, there needs to be rationalisation to minimise the impact on farming activities during the works.</p>	<p>N</p>	<p>Since the consultation period, work has been ongoing to revise and refine the Order Limits to only that which will be needed for the construction or operation of the Project.</p> <p>The preference for easements is due to the requirement from Ofgem to run the network as efficiently as possible. Easements are registered on the title rather than a wayleave which is a terminable agreement with an individual that may change without notification. Easements are therefore more efficient to manage and NGET's policy is for an easement on all new infrastructure. This has been accepted by the Secretary of State on previous projects and is in line with emerging draft National Policy Statement for Electricity Networks Infrastructure (EN-5).</p> <p>The access routes have been designed taking into account physical and environmental constraints, whilst trying to limit impact on farming operations. Further design work has been</p>	<p>N/A</p>
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			undertaken to remove unfarmable parcels of land, where possible. Where this still leaves areas that difficult to farm due to shape or size, we will look to compensate landowners for the reasonable losses attributed during construction.	<p><b>Document 2.6.5(B) [REP1-008]</b>, Works Plan Section E, Sheet 5 of 7.</p> <p>Location: Huddleston Hall, Laith Staid Lane. Near to pylons XC508 and XC509.</p> <p>Part of Work No. 9</p>
	<p><i>(Do you have any additional comments on the Yorkshire Green Project or anything contained within the PEIR?)</i></p> <p>Correction required to PEIR, Volume 2, Chapter 10: Geology and Hydrology, Table 10.7.</p> <p>This table lists several pollution incidents as having occurred at Huddleston Hall, the correct location is Huddleston Grange as confirmed by the Eastings and Northings correspondingly provided in the Table</p>	N	Comment noted, the corresponding text in the Environmental Statement Chapter 10 Geology and Hydrogeology ( <b>Volume 5, Document 5.2.10</b> ) has been amended accordingly.	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO7	<p>Further to our recent conversation at your Skelton open meeting, we would like you to beware of the following that we would like to be consulted on prior to any work being carried out.</p> <p>We personally would prefer our lane to be used instead of taking out the hedge that is in front of our properties and making it fit for purpose before and at conclusion of works.</p>	Y	<p>Following conversations with this consultee, and consideration in the design change process, National Grid have amended the design of the Project in line with the comments made by this consultee.</p> <p>Access will be taken along Church Lane, and the alternative access track through the field to the south of the lane has been removed.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 3 of 5.</p> <p>Location: Church Lane, Skelton. Access to pylon SP005.</p> <p>Part of Work No. 5</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>Obviously, it would be good to know start date/time of lorries using Lane and end time per day.</p> <p>Access/egress to properties.</p>	N/A	<p>Construction working hours are set out within Requirement 7 of the Draft DCO (<b>Volume 3, Document 3.1</b>). Relevant technical assessments have been undertaken to reflected proposed working hours.</p> <p>Construction core working hours:</p> <ul style="list-style-type: none"> <li>• 07.00 – 19.00 Monday – Friday</li> <li>• 08.00 - 17.00 Saturday, Sunday and Bank holiday (No piling on Sunday or bank holiday, and restricted to 09.00-14.00 on Saturday)</li> </ul> <p>The core working hours referred to exclude start up and close down activities up to 1 hour either side of the core working hours.</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	Taking into account the noise and possible disruption to daily life.	N/A	An Environmental Impact Assessment has been completed, which assesses the environmental impacts of the proposed development. The outcomes of the EIA process are reported in the Environmental Statement <b>(Volume 5)</b> which forms part of the DCO application. An assessment of Noise impacts has been carried out and is provided in <b>Chapter 14</b> Noise and Vibration <b>(Volume 5, Document 5.2.14)</b> .	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>Everything done to ensure the bird and wildlife that we currently have is retained where possible.</p> <p>Please can you ensure all interested parties are kept informed all the way through as a matter of courtesy with a named liason person for us. This is [REDACTED]</p> <p>Many thanks for your assistance with the foregoing and I look forward to hearing from you in due course.</p>	N/A	<p>An Environmental Impact Assessment has been carried out, which assesses the environmental impacts of the proposed development. The outcomes of the EIA process are reported in the Environmental Statement (<b>Volume 5</b>) which forms part of the DCO application. An assessment of impacts on Biodiversity has been carried out, informed by a suite of field surveys and desk studies, and measures to mitigate any significant adverse effects are set out in (<b>Volume 5, Document 5.2.8</b>).</p> <p>If the DCO application is accepted for examination by the Secretary of State, you will be able to register as an 'Interested Party', submit a relevant representation and provide contact details for receiving updates in relation to the DCO application.</p>	N/A
LO8		N		N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>(Is there anything else you would like to tell us about your response to Q2 and Q3?)</i></p> <p>We are very supportive of renewable energy and would support any scheme that would allow us to provide renewable energy solutions to the area. The addition of a new substation is positive for the area and renewable energy with is important for the future</p>		<p>National Grid notes the comments in support of renewable energy.</p> <p>National Grid has considered the feedback received through our design changed process, in respect of the location of the proposed Overton Substation and the alternative location proposed National Grid is unable to accommodate this request to move Overton substation to the proposed location.</p>	

	<p><i>(Do you support our proposals to install a new 400kV overhead line in this area, as described on pages 15-17 in the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>In principle I have no issue with the site of the endpoints. However the position of the pylons on the new connecting supply line are placed in ill thought out and inconsiderate positions that will make arable operations totally inefficient. This impact will have detrimental soil health, financial and environmental impact. It is vital you engage with the landowner and farmer to reposition these pylons so they have minimal impact.</p>		<p>The location proposed by this consultee would require works to be completed in Flood Zone 2, when there are alternative sites available. To meet National Grid's flood defence requirements, the site would need be raised or protected by flood defences.</p> <p>In addition to this, the proposed alternative has the potential to increase adverse ecological and archaeological effects, and would result in the loss of a veteran tree. Also, the mitigation of landscape, visual and setting impacts would require the implementation of planting and bunding around the northern end of the site. Early flood modelling indicates that there is a higher risk of flooding in these areas and therefore it may not be possible to implement landscape bunds without further increasing flood risk. Further detail is available in the Project Need and Alternatives Chapter of the Environmental Statement <b>(Volume 5, Document 5.2.2)</b>.</p> <p>Finally, although an OHL arrangement could be feasible</p>	
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>(Do you support the proposed location of the Overton substation, as shown in Figure 5 on page 21 of the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>We oppose a site being placed in plain site. We would like to propose a different site to the north east that we urge you to consider which would offer better more secure and private access. This site also benefits from more cover with mature trees and vegetation with similar distances away from houses, and which would be far less visible possibly invisible from the road or rail. The site would provide a larger environmental opportunity to you and the local area and has the favour of the land owner. We would also wish to support the site with longer term additions of other renewable energy sources from locally designed schemes. Please engage with us to discuss further.</p>		<p>to accommodate the proposed location, there are disadvantages of this when compared to the original alignment proposed. In particular, this arrangement would result in an increased number of pylons being required.</p> <p>National Grid have reviewed the location of SP005 and has relocated the pylon approximately 60m to the south east close to the field boundary. SP006 was unable to be moved due to SP007 not being able to achieve electrical clearances, and proximity issues to the east coast main line.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 2 of 5.</p> <p>Location: Overton Substation.</p> <p>Part of Work No. 4</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>(Looking at the new 275kV overhead lines, do you support the proposed route and rationale behind the potential alignment of the overhead lines?)</i></p> <p>The proposed siting of the pylons would significantly impact the workability, soil health and financial viability of the said fields. More considerate positions could be considered that would enhance the landscape and agricultural potential with less impact. Please consult with the landowners to make some mutually agreeable sites accessible</p>			<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheets 2 to 5.</p> <p>Location: Indicative new overhead line as shown in Section B.</p> <p>Part of Work No.5 and 6</p>
	<p><i>(Do you have any additional comments on the Yorkshire GREEN Project or anything contained within the PEIR?)</i></p> <p>We are keen to support the consideration of a new site for the substation</p>			<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 2 of 5.</p> <p>Location: Overton Substation.</p> <p>Part of Work No.4</p>
	<p><i>(Looking at the new location of the overhead line to the south east of Moor Monkton, and removal of</i></p>	N	The Project will work closely with landowners to minimise impact on ground conditions	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>existing infrastructure, do you support our proposals in this area?)</i></p> <p>We have worked hard in the area to improve the local environment and soil health and structure. The soil in the area is very sensitive and can suffer with waterlogging. We would encourage you to use common sense and access the site at appropriate times in not to damage the site or soil and impact the good work we have achieved.</p>		<p>throughout the Project, management plans, such as the Outline Soil Management Plan <b>(Volume 5, Document 5.3.3E)</b> provide guidance as to when works impacting soil can take place, taking into account local weather and soil conditions.</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>(Any comments?)</i></p> <p>The details of pylon numbers for identification is quite poor and would benefit from individual identification so land owners can factually report issues that would be relevant and you could understand.</p>	N	<p>Comment noted.</p> <p>Detailed maps and plans were made available during the statutory consultation, which labelled the pylon numbers for landowners to identify. These maps can be found in <b>Appendix O9 (Volume 6, Document 6.2)</b> of this report. The locations of pylons were also shown on our Interactive Map, which was accessible on the project website through the statutory consultation and additional PIL consultations. National Grid also invited landowners to visit our consultation events to speak with members of the team about our proposals.</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO9	<p><i>(Looking at the proposed locations of the two new cable sealing end compounds and associated infrastructure, as shown in Figure 3 on page 17 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>As landowners of Newlands Farm we will be impacted massively by the proposed works on the Yorkshire Green project. Our family purchased the farm 4 years ago and my wife and I moved here to start our own farming business. We are currently expanding our dairy herd significantly and will continue to do so over the coming years. The site that you have located for work falls extremely close to our farm steading and will cause obstruction in the future as we progress our business.</p> <p>We are also very concerned about the size of the proposed infrastructure impacting greatly on the market value of our property.</p>	Y	<p>National Grid considered the feedback received through its design change process, to move the location of the Shipton North Cable Sealing End Compound and the temporary overhead line diversion in this area to minimise impacts on the landowner and operation of farm holding as it was considered that the location of the CSEC could impact upon land owner plans to expand farm operations in this area (including development by the landowner already taking place). National Grid held a number of meetings with the landowner to discuss the feedback received, development plans at the farm holding and construction access.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 1 of 5.</p> <p>Location: Relating to the works in the area in which pylon YR040 is located.</p> <p>Part of Work No.2</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			<p>Following consideration of this change the CSEC was moved slightly southwards adjacent to the field boundary and changed to an anchor block solution which required less space with the temporary diversion moved from the north to the south of the existing 400kV Norton to Osbaldwick (2TW/YR) overhead line to accommodate this request and avoid effects on the operation and proposed expansion of the land holding.</p> <p>The relevant landowner has been informed of the amendment to the CSEC location and temporary diversions within the Order Limits as per the feedback provided.</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO10	<p><i>(Having viewed the location of the proposed new cable sealing end compounds, pylon, and underground cables, as shown in Figure 7 on page 27 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>There is a right of way that I enjoy that goes through Brick House farm. The right of way was blocked by a pylon in 2016. The right of way was clearly identifiable on the land registry plan. National Grid however failed to notify me of any works taking place. I spent 5 years in litigation in order to get a suitable route around the pylon. I have not been paid any compensation for my time involved in pursuing this through the courts and have not received all my legal costs back. If National Grid had notified me prior to the obstruction I would not have had to have gone through the courts. It was their legal duty to notify me in any event. National Grid has failed to pay anything for the above taking place. In discussions they seem to believe that my consent is not needed as a person with an interest in land and are planning to block the right of way again. The plan clearly shows that the right of way will be blocked again by a sealing end compound and other works and I object to this.</p>	N	<p>The Project has looked at the possibility to reroute the right of way around the CSEC, however this is not possible without the new route being on a 6% slope and with 90-degree bends which could create highway safety issues with its proximity to the A64. This balanced with the fact that there is already an alternative route into the field has led National Grid to conclude that extinguishing the right is the best solution.</p> <p>Landowners will be compensated on a fair and reasonable basis for any rights required, and any impacts on the retained property will be considered in line with statutory requirements.</p> <p>The Project has informed the consultee of this, most recently in October 2022, and will continue to seek to reach a</p>	<p><b>Document 2.6.4(B) [REP1-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: Pylon XC481</p> <p>Part of Work No. 8</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>The sealing end compound on my land is clearly going to devalue it considerably and as it has building potential I object to any works taking place upon it. Until National Grid pay for past losses owed to me I will not give any consent to either site.</p>		<p>voluntary agreement for all of the land and rights required.</p>	
<p>LO11</p>	<p><i>(Do you support the proposed location of the Overton substation, as shown in Figure 5 on page 21 of the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>I own the field off the A19 running alongside Hurn's Gutter.</p> <p>Ordnance Survey ref: NG1558</p> <p>Your ref: 70072588-Section42-20211028-2965898</p> <p>I see that you are proposing to run the power cables in the adjacent field (west) and told at the CONSULTATION day at Skelton Village Hall, that you are proposing an infrastructure road running along an existing track on the adjacent land (east) of my field in Skelton Springs.</p> <p>I would prefer that you keep this option and leave my land undisturbed.</p>	<p>Y</p>	<p>Further design work and studies have been undertaken to review and refine the access points required for the Project. Following this review, the existing track is proposed to be used, and the access in the field removed as per the feedback received.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 3 of 5.</p> <p>Location: Near pylon YN007.</p> <p>Part of Work No. 5 and Work No. U4</p>



Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO12	<p><i>(How supportive are you of National Grid developing new infrastructure in your area that will enable the country to achieve Net Zero by 2050?)</i></p> <p>My client [REDACTED] is concerned with the movement of one of the pylons that is already on his land next to his homestead. We are due to meet with national grid next week, but are not currently happy with the proposals and request that the work takes place elsewhere.</p>	N	<p>Following consideration through the design change control process, the pylon referenced in this response is not proposed to be moved as part of this Project. The Project seeks to utilise the existing XC alignment as much as possible, to retain and re-use existing infrastructure rather than constructing new pylons and overhead line where possible.</p> <p>Moving this pylon would be technically complex and incur significant costs. The pylon is a suspension pylon, in a line of suspension pylons, and to move this pylon would result in the need for works to other pylons and the construction of additional pylons which is not required as part of this Project.</p>	<p><b>Document 2.6.3(B) [REP1-006]</b>, Works Plan Section C, Sheet 2 of 9.</p> <p>Location: Pylon XC437. Part of Work No. 7</p>

<p>LO13</p>	<p><i>(Having viewed the location of the proposed new cable sealing end compounds, pylon, and underground cables, as shown in Figure 7 on page 27 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>I own the land which NG propose to erect a cable end sealing compound and strongly oppose this.</p> <p>Tower 481 was replaced with a 'T' tower in 2016. The original tower was sited on my property away from a right of way. The new 'T' tower was sited with two legs on a right of way and two legs in the adjoining field owned by [REDACTED]</p> <p>As a consequence of NG not fully researching/cross referencing title deeds of properties effected by tower 481 lead to costly dispute for loss of access over the right way (which the farmer had not used for over 20 years).</p> <p>[REDACTED]</p> <p>It is ironic that NG publish in their literature and continually to do so 'how well they look after' their grantors, and refuse to assist, advise or accept some blame when it is requested.</p> <p>Due to the above and being virtually left bankrupt I commenced the process of selling the property, with the commencement in communications with a prospective buyer.</p>	<p>N</p>	<p>The Project has looked at the possibility to reroute the right of way around the eastern CSEC at Tadcaster, however this is not possible without the new route being on a 6% slope and with 90-degree bends which could create highway safety issues with its proximity to the A64.</p> <p>This balanced with the fact that there is already an alternative route into the field has led us to conclude that extinguishing the right is the best solution.</p> <p>The Project undertook targeted consultation with the landowner on this basis and received further feedback to say he was 'content' for the private right of way to be extinguished.</p> <p>Landowners will be compensated on a fair and reasonable basis for any rights required, and any impacts on the retained property will be considered in line with statutory requirements.</p>	<p><b>Document 2.6.4(B) [REP1-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: Pylon XC481 and the Tadcaster CSEC at this pylon location.</p> <p>Part of Work No 8 and Work No. U10</p>
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	<p>This buyer has subsequently withdrawn their interest after becoming aware of the Yorkshire Green Project and the impact this would have on the property as a whole.</p> <p>Furthermore, I note that the scheduled commencement of construction is 2024 with an earliest in-service date of 2027.</p> <p>This prevents me selling/developing my property for a period of 5 years+, with an estimated personal loss of [REDACTED] in revenue from a sale, any opportunity to replace the sum of money lost in the court case.</p> <p>I worked hard and saved all my life, ensuring that I would have a nice home and a comfortable standard of living in my retirement but to no avail due to the development works of NG and their disregard/respect for grantors once the works have been completed.</p> <p>The proposed cable end sealing compound is to be sited within my field completing blocking the use of the right way, along with rendering it not fit for my purpose in the future.</p> <p>One would assume that you have commenced consultations with the individual - or could I expect another long court case due to the incompetence of NG?</p> <p>As the cable sealing end compound is sited directly on the right of way therefore blocking the entitlement and resulting in a deviation from the route would become a 'trespass' on my land.</p>			
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	<p>I would and am not willing to alter the route of the right way for the benefit of NG or the individual to whom has no intention of using.</p> <p>I also do not take kindly to conversations during the consultation process with a hint of bullying, when asked if there were any alternatives to be told point blank that NG would go down the compulsory purchase route, giving the impression that decisions had been made and no opportunity for negotiations.</p> <p>This was also confirmed after a site meeting on my premises with NG Representatives, a local farmer and our land agent a [REDACTED]</p> <p>NG representatives made a complaint against [REDACTED] stating that he conducted himself in an unprofessional manner, resulting in NG preventing [REDACTED] having any dealings with landowners effected by the Yorkshire Green Project.</p> <p>I do not like the 'bully boy' tactics and underhand way the two NG representatives conducted themselves after this initial meeting resulting in great embarrassment to myself and having to find another representative as professional as [REDACTED].</p>			
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO14	<p><i>(Having viewed the location of the proposed new cable sealing end compounds, pylon, and underground cables, as shown in Figure 7 on page 27 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>I would like to suggest that both compounds are put in one field, as there is already a hard standing /concrete road built by National Grid in to [REDACTED] field previously, which could be better utilised by turning the planned smaller compound area round so that the second compound can be facilitated on the same piece of land, instead of ruining two fields. The proposed structure on my land would be on land with only 5" - 6" depth of top soil until you hit solid rock. The damage you would do to this field would take decades to recover to the state it is in today. Please consider new underground cabling routed around the field boundary rather than across the field. Please consider when replacing the pylon, that this is kept in the same position, instead of further into the field. If it has to be moved, could this be by 28 meters to allow farm machinery to still be able to work the arable land around it.</p>	Y	<p>Following further design work in the surrounding area, National Grid have been able to confirm that it has been possible to accept the proposed change, and remove a temporary construction compound from the field, leaving a single construction compound proposed in this area. The construction compound is better located in the southern field to avoid construction traffic having to track underneath existing and temporary overhead lines, as well as to be in close proximity to the cable sealing end compound and length of underground cable proposed.</p> <p>The proposed pylon has been relocated to as close to the existing field boundary as possible, to reduce the impacts on agricultural activities</p>	<p><b>Document 2.6.4(B) [REP1-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: Temporary construction compound near pylon XD001.</p> <p>Part of Work No. 8</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO15	<p><i>(Having viewed the location of the proposed new substation and associated infrastructure in the Monk Fryston substation area, as defined in Figure 9 on page 34 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>This development will have life changing consequences to our farm, our livelihoods and way of life going forward. My Father has built up this farm and the grasses from an struggling scrubland to productive, healthy grazing over the last 35+ years. The loss of grazing will reduce the head of sheep and cattle that can be sustained and will ultimately make it unviable. He has invested a great deal of money into the site, erecting a large Farmhouse and recently a large barn. Your development will have an astronomical effect on the estate value, not only with the loss of production land but with the added stigma of the close proximity of the development.</p> <p>The issues to be addressed are as follows:</p> <p>Pylon XC526 to be moved East as to not infringe on "4 acre" piece of land running adjacent to Rawfield Lane.</p>	N	<p>The Project understands the wider impact it may have on agricultural operation. Where possible, National Grid has looked to optimise design to minimise impacts. Where a proven loss can be demonstrated, National Grid will consider claims in line with statutory requirements.</p> <p>Following assessment as part of the design change process, National Grid have been unable to accommodate the request to move Pylon XC526 to the east off the 4-acre parcel of land as it would move the terminal tower too close to the new Monk Fryston substation and result in electrical clearances not be achieved.</p>	<p><b>Document 2.6.6(B) [REP1-009]</b>, Works Plan Section F, Sheet 1 of 1.</p> <p>Location: Within the location of pylons XC525 and XC526.</p> <p>Part of Work No. 10</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	Drainage of all land surrounding the development to be assessed. Current historic drains may be insufficient after interference and so new land drains to be laid and guaranteed.	N/A	Drainage aspects are considered within the hydrology chapter of the ES ( <b>Volume 5, Document 5.2.9</b> ), and this determines drainage requirements for the Project. Any land retained by landowners will not be left in a worst state, or as a last resort compensation considered. Full drainage designs will be provided within the Drainage Management Plan secured under requirement 6 of the DCO ( <b>Volume 3, Document 3.1</b> ), prior to works commencing.	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	Line of sight from The Bungalow and The Farmhouse to be addressed. Tree planting and/or bunding required (pending inert soil samples of top soil to be used).	N	The views of the Project from these receptors have been assess in the Landscape and Visual Impact Chapter of the Environmental Statement <b>(Volume 5, Document 5.2.6)</b> . The Chapter notes that residents of Monk Fryston Lodge and bungalow would experience a low magnitude of change and no visibility from the dwellings is predicted. Views of the temporary construction compounds, enclosed by earth mounding would be available obliquely from the 300m long access road to both properties. Figures presented in support of Chapter 3 Description of the Project <b>(Volume 5, Document 5.4.3)</b> demonstrates the landscaping proposed at the Monk Fryston substation, including retention of existing vegetation where possible, and the creation of planted bunds to screen views where possible.	



Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	New permanent access road from Rawfield Lane to be established. Location and length to be agreed.	Y	The existing access into the field will not be suitable following construction, as the new substation will be constructed in its current location. National Grid will provide a new access point and bellmouth during the construction works, and will leave the new gates in permanently, but the temporary bellmouth will be removed following construction. The new gated access point will allow access into the field for farming operations.	
	Possible new water main hook up from Rawfield Lane connecting onto new NG pipe installation.	N	National Grid will require a water connection to the new substation, and are in discussions with Yorkshire Water. It may be possible to tee off any new connection, but this would require discussions between the landowner and Yorkshire Water and would not form part of this Project.	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	Hard standing entrance on Rawfield Lane approx 40yrd x 50yrd, possibly a better entrance to West compound if compound location moved.	N	<p>Following assessment as part of the design change process, National Grid is unable to accommodate this request.</p> <p>The proposed location of the entrance to the west compound would require a bridge/culvert and the avoidable loss of trees and other vegetation as the proposed compound is located in the field to the north of this access area of hardstanding.</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>EMF levels to be ascertained on current site and then completed site. (initial site visit arranged).</p> <p>My cooperation and mediation to date has inevitably saved you a great deal of time, money and trouble. This is to be taken into account when a settlement is made.</p>	N/A	<p>We can confirm that a site visit was arranged to take EMF measurements at the property. It was confirmed that at the property EMF was comparable with background levels across homes in the UK. During the site visit it was agreed that follow up measurements post construction could be taken, if requested by the landowner.</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO16	<p><i>(Do you support our proposals to install a new 400kV overhead line in this area, as described on pages 15-17 in the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>All 3 sets of lines from the substation have pylons on this clients land. The 2 for the 400kV north line: one is in the substation field and one in the field on the opposite side of the A19. The first should be as close to the substation as possible and the second should be as close to the northeast boundary with the neighbour as possible, to minimise the impact on the usable areas of the fields. If only one can be moved due to distances between pylons please discuss this with us so an optimum location can be found for both.</p>	Y	<p>Following consideration as part of National Grid's design change process, National Grid has moved pylon YN007 approximately 20m to the north to allow sufficient distance from the watercourse for construction.</p> <p>National Grid is unable to move pylon YN008 to accommodate this request due to the proximity of a large water pipeline to the south of the pylon, and to maintain enough distance from the A19 to allow crossing protection to be erected.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 2 of 5.</p> <p>Location: Pylons YN007 and YN008.</p> <p>Part of Work No. 3</p>
	<p><i>(Do you support the proposed location of the Overton substation, as shown in Figure 5 on page 21 of the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>The substation is within my client's field. The orientation is unexpected and would be better rotated clockwise so it is in line with the railway line</p>	N	<p>Following further consideration in the design change process, National Grid is unable to accommodate this request to reorientate Overton Substation, to align it with the railway line rather than the A19.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 2 of 5.</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>rather than the A19. This would leave more land unaffected afterwards and reduce the practical and financial impact of the scheme.</p> <p>He would prefer the substation to be located further north now the proposed layout of overhead wires, particularly west of the railway towards Overton Wood can be seen. This would reduce the visual impact of the pylons crossing north of the farmstead and minimise the impact on the field. The substation looks like it will be on top of the 3 existing ponds which are located to facilitate the field drainage. They were reinstated some years ago as, despite draining, these areas continued to lie wet. This is of concern for the future drainage of the field. There are also areas of running sand within this field as well as a Yorkshire Water Main.</p>		<p>The requested reorientation of the substation would infringe on the large Yorkshire Water pipeline in the field, as well as locating the substation within flood zone 2 and 3. The change would also mean that the XC and SP routes would need to be realigned and infringe on clearances with the east coast main line. The SP route would also require another pylon due to span lengths to accommodate the change and on the basis of the points above has not been taken forward.</p>	<p>Location: Overton Substation.</p> <p>Part of Work No. 4</p>

	<p><i>(Looking at the new 275kV overhead lines, do you support the proposed route and rationale behind the potential alignment of the overhead lines?)</i></p> <p>Of the 5 pylons on the west stretch towards Overton Wood, the first should be as near the substation as possible. The second (in the top corner of the field between the railway and the road) should move further north into the trees planted last year. These can be relocated and it is essential that this o/head line is as far away from the steading as possible. The 3rd pylon is in direct view of the farm office so the further north it goes, the better and preferably in the corner of the north and east hedgelines (but not blocking the access). The 4th pylon should be as close to Overton Wood as possible as should the 5th so the o/head lines can be visually mitigated by the treeline behind as well as minimising the impact on farming operations. If there are issues due to distances between pylons please discuss this with us so an optimum location can be found. Of the 2 pylons on the eastern side of the railway line, the first should be as close to the substation as possible and the second should be as close to the southern boundary as possible, or even in the trees planted last year, to minimise the impact on the usable areas of the fields.</p>	N	<p>Following further consideration in the design change process, National Grid have been unable to accommodate this consultee's requests.</p> <p>The movement of the overhead line in a northwards direction, north of Overton Grange, could increase impacts on ancient woodland and veteran trees, and increase any adverse ecological effects linked to this.</p> <p>The movement of the route to the north would also require one additional pylon near XC419 and increases some pylon heights. The route considered to accommodate this request would have also been considered less compliant with the Holford Rules and on the basis of the points above has not been taken forward.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 2 of 5 and Sheet 3 of 5.</p> <p>Location: Pylons XC416, XC417, XC418, XC419 and XC420.</p> <p>Part of Work No. 6</p>
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	<p><i>(Do you have any additional comments on the Yorkshire GREEN Project or anything contained within the PEIR?)</i></p> <p>The access to the site compounds North West of York appears to be proposed on a single track part of Overton Road. It is ESSENTIAL that access is taken nearer the A19 where the road is still two way before it changes to single track. Access to the substation field is available on the corner before the road turns right towards the railway bridge when approaching from the A19.</p> <p>The video flyover is very selective in what is shown. For example only some of the new pylons are highlighted to make them more visible which gives the illusion that the others are not visible. A very careful viewing with much pausing is needed to see them when you know where they are so would be unlikely to be seen by a general member of the public. That is likely to give a skewed response to the questions.</p> <p>Also the photographic layout of one view towards the substation appears carefully selected so that on extremely close inspection only the tips of the arms of the new pylon south of the substation can be seen on the right hand side. It would have been a truer impression to have included that pylon in the view as there was nothing on the left hand side of the picture that needed including in the image.</p> <p>We have concerns about the proposed tree planting along the roadside to Overton. As this is mostly</p>	Y	<p>Following consideration in the design change process, National Grid have modified the access tracks to the site compounds discussed in line with the consultee comments. The access to the east of the road, to the construction compound and new Overton substation will now be taken at the north western corner of the field, off Overton Road. In addition, the access to the construction compound at the other side of the road will be taken from the North of Overton Road. The current proposals would see the section of Overton Road to the new bellmouths made in to a two lane road.</p> <p>Access is still needed to the western field off Overton Road, to allow for the creation of an alternative cycle path.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 2 of 5.</p> <p>Location: Temporary construction compounds and Overton Substation.</p> <p>Part of Work No. 3 and Work No. 4</p>
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	<p>single track it is important that branches or vegetation do not reduce the width for traffic.</p>			
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
LO17	<p><i>(Looking at the proposed locations of the two new cable sealing end compounds and associated infrastructure, as shown in Figure 3 on page 17 of the Yorkshire GREEN Statutory Consultation Booklet, do you support our proposals?)</i></p> <p>The road you seem to be accessing the site from is a small single track road not suitable for large volumes of large vehicles. The quality of your maps are poor.</p>	N	<p>The road currently proposed for a construction access has been assessed for use. Suitable space in the Project Order Limits has been provided to allow for the road to be widened for the proposed bellmouths, to improve and make the road suitable for construction traffic.</p> <p>Your comment on the quality of maps is noted. Versions of the maps were available on the Project website and were available in hard copy at consultation events. National Grid considers that the consultation materials used were adequate for statutory consultation.</p>	<p><b>Document 2.6.2(B) [REP1-005]</b>, Works Plan Section B, Sheet 1 of 5.</p> <p>Location: Shipton North CSEC near pylons YR040 and YN001.</p> <p>Part of Work No. 2</p>
	<p><i>(Do you support our proposals to install a new 400kV overhead line in this area, as described on pages 15-17 in the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>Positions of pylons are inappropriate for agricultural operations</p>	N	<p>The current pylons have been sited to achieve statutory clearances, and within the design limits of the pylon type.</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p><i>(Do you support the proposed location of the Overton substation, as shown in Figure 5 on page 21 of the Yorkshire GREEN Statutory Consultation Booklet?)</i></p> <p>If you are going to build one of the ugliest structures known to man, Why would you do it in such a visible area. The A19 supports the flow of 11685 vehicle movements each day (2017 stats). The large majority are local residents that drive past this site every day. This proposal will blight the landscape for the rest of their lives. For National Grid this is a 5 year infrastructure project. The rest of us will have to live with it forever. Forever is a very long time. Build it somewhere where people can't see it. I have verbally offered a potential alternative.</p>	N	<p>Following further consideration in the design change process, National Grid is unable to accommodate this request to move Overton substation to the proposed location.</p> <p>The location proposed by this consultee would require works to be completed in Flood Zone 2, which does not meet policy tests with alternative sites available outside the flood zone. To meet National Grid's flood defence requirements, the</p>	<p><b>Document 2.6.2(B) [REP-005]</b>, Works Plan Section B, Sheet 2 of 5.</p> <p>Location: Temporary construction compounds and Overton Substation.</p> <p>Part of Work No. 3 and Work No. 4</p>

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>The proposed infrastructure compound nearest the railway line is on one of my fields and is situated on an environmental plot. It doesn't have to be there. The access is again from a narrow single road not suitable for large volumes of traffic.</p>		<p>site would need be raised or protected by flood defences.</p> <p>In addition, the proposed alternative has the potential to increase adverse ecological and archaeological effects, and would result in the loss of a veteran tree. Also, the mitigation of landscape, visual and setting impacts would require the implementation of planting and bunding around the northern end of the site. Early flood modelling indicates that there is a higher risk of flooding in these areas and therefore it may not be possible to implement landscape bunds without further increasing flood risk.</p> <p>Finally, although an overhead line arrangement could be feasible to accommodate the proposed location, there are disadvantages of this when compared to the original alignment proposed. In particular, this arrangement would result in an increased</p>	

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			number of pylons being required.	

	<p><i>(Looking at the new 275kV overhead lines, do you support the proposed route and rationale behind the potential alignment of the overhead lines?)</i></p> <p>I oppose the position of the 3rd and 4th 275kv powerline to the east of the proposed substation. These are on my fields and are positioned in a untenable position. I oppose any pylon along the east and north part of the route than will make farming the land under my ownership or management unnecessarily difficult resulting in unproductive areas of fields. The position of these pylons needs to be planned with the landowner. If you had numbered the pylons on your map I could be clearer on the location. You haven't. To save any misunderstanding, I also oppose any pylon not positioned in a hedge row or not at a field end or corner.</p>	Y	<p>Following consideration in the design change process, National Grid have been able to partially accommodate this consultee's request. The pylons being discussed in this consultation response have been identified as SP005 and SP006.</p> <p>SP005 has been moved closer towards the hedgerow and rail tracks, whilst still allowing room for operational farming. It is not possible to move pylons SP005 to the SE side of the hedgerow, due to infringements on the track between the fields and the railway line. This change results in an increase in the height of pylons SP004 and SP005, by approximately 1.2m.</p> <p>SP006 cannot be moved, due the pylon being on a bisect of an existing alignment, so moving SP006 closer to the track would result in an angle which does not comply with electrical clearances between the jumpers, pylon steelwork and pylon body. Adding to this to move SP006 backwards would involve greater impacts on nearby vegetation and</p>	<p><b>Document 2.6.2(B) [REP-005]</b>, Works Plan Section B, Sheet 3 of 5.</p> <p>Location: Pylons SP005 and SP006.</p> <p>Part of Work No. 5</p>
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			require track possession from Network Rail.	
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Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>new underground cable be routed around the south western edge of our field which is tenanted by Mr Elliott (i.e. undergrounded beyond our field boundary). This will confine the cable route within the two fields in which the new sealing end compounds are to be installed.</p> <p>The pylon which is to be replaced currently sits on the field boundary, which minimizes the amount of agricultural land rendered sterile due to this infrastructure. Replacing the pylon as proposed by moving it slightly to the east (as has been indicated to us) will further increase the amount of sterile farming land within our field. Our preference instead would be to have the new pylon situated in the neighbouring field to the west, thereby confining the new infrastructure to the field where other permanent infrastructure is to be located (along with what will hopefully be one larger temporary construction compound) . However, if this is not possible for cable span reasons then it would be preferable for the new pylon to be moved at the very least 24 metres to the east of the field boundary, thus enabling the land between the pylon and the field boundary to be cultivated and managed using crop spraying equipment (which typically have booms spanning around 24 metres in width).</p> <p>Finally, any temporary access track which is required for the construction of the replacement</p>		<p>south western edge of the field, as this would result in an additional crossing of a gas pipeline, and wouldn't leave sufficient working area between the A64 to allow for construction methods, such as horizontal direction drill to allow the cable to run underneath the gas pipelines</p>	<p><b>Document 2.6.4(B) [REP-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: Near pylon XC481.</p> <p>Part of Work No. 8</p> <hr/> <p><b>Document 2.6.4(B) [REP1-007]</b>, Works Plan Section D, Sheet 1 of 2.</p> <p>Location: Pylon XD001.</p> <p>Part of Work No. 8</p>



Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
	<p>pylon should be kept to a minimum size and routed around the edges of the field to minimize its impact.</p> <p>Whether or not ████████ can support National Grid's proposals for the Tadcaster area are clearly dependent upon how National Grid is able to respond to this consultation response.</p>			
LO28	<p>We are supportive of the pylon route following the same route as currently in place over the land within the University of Leeds ownership. However, the proposed access routes appear to cover excessively large sections of arable land. It is considered that alternative access routes would be preferable by discussion. The access routes previously utilised when this line was rebuilt, largely in the same field as the pylons to the west of Warren lane would be significantly preferable to the proposed route</p>	Y	<p>Following consideration through National Grid's design change process and discussions with the University of Leeds, National Grid has proposed the use of the access routes requested as part of its DCO Application.</p>	<p><b>Document 2.6.4(B) [REP1-007]</b>, Works Plan Section D, Sheet 2 of 2.</p> <p>Location: Pylons XD004 and XD008.</p> <p>Part of Work No. 8</p>
LO21	<p>Have just received the enclosed documents. Most of the type used is much too small for a 93-year-old to read, even with glasses... therefore no comments!</p>	N	<p>After receiving this response, National Grid sent a letter to the consultee in enlarged font on 12 April 2022. The letter asked them to contact the team as no other contact details were available i.e. telephone number. No response was received to this letter.</p>	N/A

Consultee	Response	Change (Y, N or N/A)	National Grid's response (including the regard had to the consultation response)	Relevant Plan/Location
			<p>No other contact details were returned by the consultee, so National Grid have been unable to get in touch with this person other than by letter.</p> <p>Going forward, any material to be sent to this address will be sent in enlarged font.</p>	

# Appendix H Response to Q4.4.2

## 1.1 Introduction

1.1.1 This document provides the response to written question Q4.4.2 by National Grid made by the Examining Authority (ExA) during Examination. National Grid has submitted this document in the belief that it will clarify matters currently before the Examining Authority.

## 1.2 Response to Written Question 4.4.2

- 1.2.1 The factors considered in weighing the public benefits versus private loss include identifying the public benefits which will be introduced by, or available as result of, the construction and operation of the Project. The key benefits (both public and private) are described at Paragraph 4 Conclusions of the **Updated Needs Case (Volume 7, Document 7.4) [APP-205]**. This summarises that there is an urgent need to reinforce the network in the Yorkshire area by 2027 in order to enable connection of three contracted customers, ensuring future connections of renewable generation can be connected without incurring significant constraint costs, facilitating the UK Government’s legal commitment to reduce greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050, and to meet National Grid’s transmission licence obligations.
- 1.2.2 The Planning Context is set out in the **Planning Statement (Volume 7, Document 7.1) [APP-202]** and the balance between public benefit and private loss is described in the **Statement of Reasons (Volume 4, Document 4.1) [APP-069]**.
- 1.2.3 To aid with the cross referencing of these documents, the key themes are tabulated below.

Table 1.4 – Table cross-referencing the Updated Needs Case, Planning Statement and Statement of Reasons

Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
2.14 Under the terms of the Transmission Licence, National Grid is required to provide an efficient, economic and co-ordinated transmission system in England and Wales. The transmission infrastructure needs to be capable of maintaining a minimum level of security of supply and of transporting electricity from and to customers. National Grid is required to ensure that its transmission system	The Planning Statement also reflects the need for the project, in line with the Needs Case (particularly sections 2.1.8 and 2.1.9). The Drivers for change are consistent across all documents, this is summarised in Table 3.1 of the Planning Statement. At Section 3.4.8, the Planning Statement describes the aspects that are considered when planning major infrastructure	The Statement of Reasons describes the relevant policy background for the scheme and summarises some of the benefits, consistent with the Needs Case and the Planning Policy documents. 2.1.6 EN-5 refers back to EN-1 for the strategic needs case and highlights that the UK needs new electricity generating infrastructure to move to a low carbon economy, while maintaining security of supply and will be

Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
<p>remains capable as customer requirements change.</p> <p>2.16 Recently, a large volume of applications have been made to National Grid for connection at locations that are more remote from the existing transmission system or which are in the vicinity of parts of the transmission system that does not have sufficient capacity available for the new connection.</p>	<p>works, e.g. <i>‘National Grid review how the required reinforcement could be delivered, considering different strategic options, and assessing the options identified. This takes into account environmental, socio-economic, cost and technical considerations’.</i></p>	<p>heavily dependent on the availability of an electricity network which is fit for purpose and robust.</p> <p>2.1.8 Furthermore, paragraphs 3.3.56 to 3.3.58 of draft EN-1 then go on to state (emphasis added): <i>‘Moreover, given the crucial role of networks in connecting all of the other kinds of electricity infrastructure described in paragraph 3.3.15, it is especially important that the Secretary of State consider[s] network projects as elements of a coherent and strategically necessary system...’</i></p>
<p>3.3 The existing transmission network infrastructure in the Yorkshire area was not originally designed to transfer the growing volumes of generation capacity from the North. The network will require significant reinforcements to provide capacity for these connections and customers to ensure that power can be transferred securely to the onshore demand centres to meet the needs of Great Britain electricity consumers.</p> <p>3.14 Table 3.2 demonstrates the future transfer and shortfall across the B7, B7a and B8 boundaries by 2027. Boundaries B7, B7a and B8 exceed their post fault capacity by greater than circa 4,000 MW on every boundary. This means there can be no further unconstrained connections</p>	<p>5.1.1 National Grid’s statutory obligations are set out in the Electricity Act 1989 (the Electricity Act) and in the terms of its Transmission Licence (regulated by Ofgem). Under the Electricity Act, National Grid Electricity System Operator (NGESO) and National Grid must develop transmission network proposals in an efficient, coordinated and economical way, whilst having regard to the desirability of preserving amenity. This means that, when National Grid considers options to deliver additional network capability, it must balance the need to develop the network in a way that is efficient, coordinated and economical and minimises impact on people and places. 5.1.2 In demonstrating these responsibilities and in order to provide transparency over</p>	<p>EN-1 also states that <i>‘...where possible the preference should be for coordination of onshore transmission, offshore transmission, and offshore generation and interconnector developments. This coordinated approach is likely to provide the highest degree of consumer, environmental, and community benefits.’</i></p>

Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
<p>above boundary B8 until the shortfalls are resolved.</p>	<p>the design process, National Grid has published “Our Approach to Consenting”. The guidance was written to explain the steps National Grid follow when developing proposals, including identifying strategic proposals, followed by options identification which includes the application of the Holford Rules. The Holford Rules are the accepted basis within the electricity transmission industry for overhead line routeing. Section 5.3 of this Planning Statement sets out in detail how the Holford Rules have been applied to the Project by National Grid.</p>	
<p>3.20 As part of the ESO annual ETYS (Ten Year Statement) and FES (Future Energy Scenarios) assessment, the ESO have established that the constraints described in this Report would add constraint costs exceeding the costs of reinforcement of the network. These costs feed through ultimately to consumer and business energy bills.</p> <p>3.22 Failure to deliver reinforcements to resolve the need set out in this Report would result in commercial restrictions for these contracted generators, and limit future flows from northern areas of Great Britain. This restriction is in conflict with National Grid’s obligations to deliver connections and maintain the system to the</p>	<p>5.1.3 National Grid’s Approach to Consenting guidance states that: “whether the preferred route corridor is predominantly overhead, underground or subsea, detailed survey and assessment work is carried out to find the alignment of the transmission line which best satisfies all of our obligations and the needs of stakeholders. In doing this we seek to avoid as far as practical impacts on people, communities, environmentally sensitive areas and any other important receptors.”</p>	<p>2.4.1 The Strategic Proposal stage identified the ‘need’ for a project, and reviewed the ways in which the Project could be delivered. Several different strategic options were considered, including the use of different technologies and different connection points. A technical filter was then applied to ensure strategic options being considered would work in practice.</p>

Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
requirements of the NETS SQSS.		
<p>4.5 This assessment is supported by both the Network Options Assessment (NOA) and the Future Energy Scenarios (FES) which are undertaken by the Electricity System Operator, independently of National Grid as the transmission owner. The FES identified that from 10,000 MW to between 20,000 MW to 30,000 MW is required in increased capacity by 2040 driven by generation to achieve net zero targets.</p>	<p>The Planning Statement refers to the Statement of Reasons: 2.2.3 In order to be able lawfully to install, inspect, maintain, repair, adjust, alter, replace or remove an electric line (above or below ground) and any related equipment such as poles, pylons/transmission towers, transformers and cables, network companies need either to own the land on, over or under which construction is to take place or to hold sufficient rights over, or interest in that land (typically in the form of an easement), or to have permission from the current owner or occupier to install their electric lines and associated equipment and carry out related works (usually referred to as a “wayleave”). The rights of access are set out in the Draft Development Consent Order (Volume 3, Document 3.1) and the Statement of Reasons (Volume 4, Document 4.1).</p>	<p>Cross Reference to Updated Needs Case: 2.2.9 Establishing the need for reinforcement, as summarised above, is the first step in National Grid’s project development process. For the Project, this is detailed in the Updated Need Case Document (Volume 7, Document 7.4). On the basis of the need case established, National Grid review how the required reinforcement could be delivered, considering different strategic options, and assessing the options identified. This takes into account environmental, socio-economic, cost and technical considerations. The strategic proposal is then considered further through options identification and selection, taking into account feedback received. The design and assessment of the project in environmental terms is the subject of statutory consultation, with feedback considered, before the project taken forward is finalised and submitted in the DCO application.</p>
<p>4.6 The National Grid (ESO) manages shortfalls in boundary capacity by reducing power flows and constraining generation. This is achieved by paying generators to reduce their outputs, known as ‘constraint costs’. Ultimately, constraint costs are passed</p>	<p>Refers to Needs Case at 7.3.13: Whilst the measures above would not reduce all effects to not significant, the number of receptors affected has been minimised as far as possible, and the urgent and compelling needs case in terms of the shift in national energy need, the</p>	<p>Cross Reference to Updated Needs Case: 2.2.1 The need for the Project has been established in the Planning Statement (Volume 7, Document 7.1) and the Updated Need Case Document (Volume 7, Document 7.4) and is underpinned by NPS EN-1.</p>

Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
<p>on to consumers and businesses through electricity bills. When constraint costs become higher than the cost of investment required to reinforce the network (and remove the need for constraint costs) it is considered right to proceed with investment for reinforcement. Without reinforcement by 2027 there can be no further unconstrained connections above boundary B8.</p>	<p>requirement to meet Net Zero by 2050, and the support that Yorkshire GREEN provides for the movement of energy from renewable sources is considered to outweigh the limited significant effects remaining on landscape and visual amenity.</p>	
<p>4.7 In addition, the following three contracted customers have connection offers which are reliant on reinforcement of the network:</p> <ul style="list-style-type: none"> <li>• Continental Link – A 1.8GW Interconnector between England and Norway to connect in the Creyke Beck Substation, close to Hull, by 2027</li> <li>• The Atlantic Superconnection - A 1GW Interconnector from Iceland expected to connect in the Creyke Beck Substation, close to Hull, by 2027</li> <li>• Hornsea Offshore P4 - 2 phased connection application for 2.6GW (1.5GW in 2027 and 1.1GW in 2028) of offshore wind generation with an offer to connect in the North East in April 2027 and October 2028 for each phase respectively.</li> </ul>	<p>Refers to Needs Case at 7.3.82: The preferred Strategic Proposal identifies the solution to the needs case as being a new overhead line connecting the existing 400kV Norton – Osbaldwick overhead line and the existing 275kV Poppleton – Monk Fryston overhead line, together with associated siting of new infrastructure in the North west of York Area, Tadcaster and Monk Fryston.</p>	<p>Cross Reference to Updated Needs Case: 6.2.2 With regard to the condition set out in section 122(3), Chapter 3 of this Statement and the Updated Need Case (Volume 7, Document 7.4) explain how there is a national need for the provision of new energy infrastructure. The requirement for compulsory acquisition powers will ensure timely acquisition of the necessary land and rights needed to construct and maintain the Project.</p>
<p>4.8 Therefore, there is an urgent need to reinforce the network in the Yorkshire area by 2027 in order to enable connection of three</p>	<p>Refers to Needs Case at 7.4.13: In terms of the effects on landscape character, whilst operational effects could not be reduced</p>	<p>Cross Reference to Updated Needs Case: 6.3.1 The need for the Project is established in the Updated Need Case (Volume 7, Document 7.4)</p>

Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
<p>contracted customers; ensure future connections of renewable generation can be connected without incurring significant constraint costs; facilitate net zero ambitions; and meet National Grid's transmission licence obligations.</p>	<p>to a magnitude that is not significant, the number of receptors affected has been minimised as far as possible. In addition the urgent and compelling needs case in terms of the need to reinforce the network in the Yorkshire area by 2027, ensure future connections of renewable generation can be connected without incurring significant constraint costs, meeting National Grid's transmission licence obligations, assisting in combatting the climate emergency, contributing to the Net Zero Target and meeting the national energy need, is considered to outweigh the limited significant effects remaining on the landscape.</p>	<p>and the various purposes for which the interests in the land are required are set out in this Statement and in the Planning Statement (Volume 7, Document 7.1), which further explains how the evolution of the Project has followed an iterative design process.</p>
	<p>Refers to Needs Case at Table 8.1: As set out in the Needs Case (Chapter 4) above, the Project supports the national need for reinforcement of the electricity infrastructure network to avoid constraint costs and support the national net zero carbon ambition. And: In this case, the urgent and compelling needs case in terms of the shift in national energy need, the requirement to meet Net Zero by 2050, and the support that Yorkshire GREEN provides for the movement of energy from renewable sources, is considered to amount to very special circumstances that outweigh the limited</p>	<p>Cross reference to Needs Case: 6.4.2 The need for the Project has been established in the Updated Need Case (Volume 7, Document 7.4). The compulsory acquisition of land and rights in land is necessary to deliver this Project.</p>



Updated Needs Case (Document 7.4) [APP-205]	Planning Statement (Document 7.1) [APP-202]	Statement of Reasons (Document 4.1) [APP-069]
	harm to the Green Belt that would arise from the Project.	
		Cross reference to Needs Case: 8.1.11 The need for the Project that will be brought about by the proposed development is well established and is of national importance, particularly in respect of meeting electricity demands and net zero targets, as detailed in the Updated Need Case (Volume 7, Document 7.4) and Planning Statement (Volume 7, Document 7.1), Second, those affected by the exercise of compulsory acquisition or temporary use powers will be entitled to compensation and the Applicant has the resources to provide such compensation.
	Refers to Needs Case at 9.1.10: Taking into account the conclusions of the ES, whilst significant effects during operation would occur on landscape character, visual amenity and best and agricultural land (due to the loss of best and most versatile land) and socio-economics, these effects have been minimised as far as possible, and are considered to be outweighed by the urgent and compelling needs case in terms of the shift in national energy need, the requirement to meet Net Zero by 2050, and the support that Yorkshire GREEN provides for the movement of energy from renewable sources.	

## 1.3 Other Relevant Documents

1.3.1 As part of the application process, there was significant statutory and non-statutory consultation on the Project **Consultation Report (Volume 6, Document 6.1) [APP-195]**. National Grid listened to stakeholders including landowners and those with an interest in the land and undertook assessments to balance the public and private benefits as well as technical feasibility, impact on the environment and cost. As part of the project development process, there is also a robust Strategic Back-Check and Review process if required which balances public and private benefits of the scheme **Strategic Proposals Back Check and Review 2020 (Document 7.6) [APP-207]**.

1.3.2 The principle need for new electricity infrastructure is established in National Policy Statement NPS EN-1. The costs / benefits of installation of new overhead lines and infrastructure are directed by the Horlock and the Holford rules (see National Policy Statement, EN-5, Section 2.8.5). These require a balance to be struck, particularly the rules shown below:

### Horlock, Section III:

Rule 1: In the development of system options including new substations, consideration must be given to environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential environmental effects in order to keep adverse effects to a reasonably practicable minimum.

Rule 3: areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas should be protected as far as reasonably practicable.

### Holford Rules:

Rule 1: avoid altogether, if possible, the major areas of highest amenity value, by so planning the general route of the first line in the first place, even if the total mileage is somewhat increased in consequence.

Rule 7: approach urban areas through industrial zones, where they exist, and when pleasant residential and recreational land intervenes between the approach line and the substation, carefully assess the comparative costs of undergrounding.

1.3.3 The Supplementary notes also state that National Grid should “avoid routeing close to residential areas as far as possible on grounds of general amenity”.

1.3.4 Underpinning the routing process is the National Grid publication ‘Our Approach to Consenting’, which clearly sets out the considerations addressed through the planning process (**Appendix 2A Our Approach to Consenting (National Grid) (Document 5.3.2A) [APP-092]**)

## 1.4 Key Benefits of the Scheme

1.4.1 Aside from the broader public benefits described in the extracts in the table above, there are several non-technical benefits of the scheme, these include. Biodiversity Net Gain of at least 10% across the project (although this is not secured under the **draft DCO (Document 3.1(B)), [AS-011]**) which will be secured through a s.106 agreement. These are more fully described in the **Biodiversity Net Gain Report (Document 7.9) [APP-210]**.

1.4.2 While the scheme requires the installation of new infrastructure, where possible, opportunities have been taken to remove infrastructure. Examples of these are provided below:

In the city of York

The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable

In the district of Hambleton

The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable

The dismantling and removal of existing pylon XCP013, including removal of conductors, insulators, fittings, fibre optic earthwires, and foundations to 1.5m

In the district of Hambleton, City of York and borough of Harrogate

The dismantling and removal of existing pylons XCP012 to XC429T, including removal of 14 pylons, conductors, insulators, fittings, fibre optic earthwires and foundations to 1.5m;

In the district of Selby

The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable.

1.4.3 These descriptions are not exhaustive. A full description of the works is included in the Project Description which is provided in several documents (for example, **Section 3 of the Statement of Reasons (Document 4.1) [APP-069]**). The Socio-economic assessment is described fully in the **Socio-Economics Chapter of the Environmental Statement Chapter 16 (Document 5.2.16) [APP-088]**.

## 1.5 Private Loss

1.5.1 National Grid has considered the private loss that will be consequential on the construction and operation of the Project by itemising all of the affected and summarising the nature of loss that will be caused as a result of the Project. This is set out in the table below.

Table 1.2 – Private Loss

PIL Reference	Impact type	Rights New Towers	Number New Towers	Rights Existing Towers	Number Existing Towers	Rights New Over sail	Rights Existing Over sail	Rights Temporary Towers	Rights Temporary Masts	Rights Temporary Oversail	Temporary Const. Compound	Rights Access	Freehold Acquisition
Darrington Quarries Limited (Company No 00579409)	Existing OHL			Y	1								

<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
Don Green (Farms) Limited (Company No 02693335)	Existing OHL			Y	1								
Holloway Timber Company Limited (Company No 03443163)	New OHL					Y							
Hutton Wandesley Estate LLP (Company No OC392042)	Existing OHL			Y	4								
J H McCloy & Co Limited (Company No 02088224)	Existing OHL			Y	1								
Manor Farm Machinery Limited (Company No 07380277)	Existing OHL and New OHL			Y	1	Y							
Northern Gas Networks Limited (Company No 05167070)	Rights during construction											Y	
Smoothstorm Limited (Company No 03150486)	Rights during construction											Y	
Squires Café Bar Limited (Company No 06027382)	Existing OHL						Y						
Start Trading Ltd (Company No 03079938)	Existing OHL			Y	1								
The University of Leeds (Company No RC000658)	Existing OHL			Y	5								
York Christmas Trees Limited (Company No 09531168)	New OHL					Y							

<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
Thomas Edward Fielden	Rights during construction											Y	
Alan Robert Aspinall	Existing OHL						Y						
Allan Pinkerton	Existing OHL						Y						
Christopher Marcus Patrick Lister	Existing OHL						Y						
David Keith Wood	New OHL	Y	1					Y					
John Norman Fawcitt	New OHL	Y	1					Y					
Joseph Whittaker	New OHL					Y							
Matthew Paul Adamson	Rights during construction											Y	
Nicholas Anthony Barker	Existing OHL						Y						
Nigel Guy Pears	Existing OHL			Y	4								
Pamela Jane Husband	Rights during construction, operation, maintenance of the Project											Y	
Philip Richard Barnitt	Existing OHL			Y	4								
Executors of Rex Greenwood deceased	Existing OHL						Y						
Robert John Hurren	Existing OHL			Y	1								
Thomas Francis Fawcett	Rights during construction											Y	

<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
Richard George Arthur Burniston	Existing OHL			Y	5								
Susan Patricia Kedie	Existing OHL						Y						
Ann Denise Lawday	Rights during construction											Y	
Jean Elizabeth Beavers	Existing OHL			Y	1								
John Anthony Riley-Smith	Existing OHL			Y	2								
Joseph Donald Ross	Existing OHL			Y	1								
Sheila Margaret Hawking	Existing OHL						Y			Y			
Christine Shepherd	New OHL					Y							
FB Properties (York) Limited – (Company No 13016664) – Frank Buck	Rights during construction											Y	
Yorkshire Water Services Limited	New OHL					Y							
Simon Nicholas Mills	Existing OHL			Y	3								
Barnett Waddingham	Existing OHL			Y	1								
Castlegate Trustees Limited (Company No 04559961) & Richard Henry Strawson & William Henry Strawson & William Robert Strawson	Existing OHL			Y	3								

<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
MJF SSAS Trustees Limited (Company No 04089958) 2906975 & William Francis Condon Richard Condon	Existing OHL and New OHL			Y	1	Y							
PA Trustees Limited (Company No 07355244)	New OHL	Y	3					Y					
Sustrans (Company No 01797726)	Existing OHL						Y						
Timespan Properties Limited (Company No 03396096)	Existing OHL					Y							
Patricia Roach & Peter Dennis Roach, Christopher Peter Roach & Oakland Farms Limited (Company No 01010065)	Existing OHL			Y	1								
Alan John Wilson & John Foster Wilson	Existing OHL			Y	2								
Alan Pinkerton & Elspeth Heskey	Existing OHL			Y	1								
Antoinette Vanessa Wilkin & Jonathon Kenneth Wilkin	Existing OHL			Y	1								
Christine Pears & Richard Guy Pears	Existing OHL						Y						

<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
David Charles Hardisty & Sheila Hardisty	Existing OHL			Y	1					Y			
Frances Margaret Newby & Richard Ernest Newby	Existing OHL						Y						
Geoffrey Blaken & Matthew Blaken	Existing OHL			Y	1					Y			
Geoffrey Robinson & Patricia Ann Robinson	Existing OHL												
Gillian Catherine Ann Hewitt & Stephen Neil Hewitt	New OHL					Y				Y			
Gillian Eves & Paul Bulmer	Rights during construction and operation, maintenance of the Project											Y	
Joseph Edward Hirst & Sandra Hirst	Rights during construction											Y	
Joyce Batty & Stephen Batty	Existing OHL			Y	2								
Karen Asquith & Stephen John Asquith	New OHL			Y	2					Y			
Linda Jane Foster & Peter Duncan Foster	Existing OHL			Y	1								
Guy Jonathan Hirst, Henry Lockwood Hirst, Margaret Hirst & William St John Hirst	Existing OHL			Y	5								



<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
Ian Needham & Deborah Bonney	Existing OHL			Y	1								
Richard Douglas Elliott	Existing OHL						Y					Y	
Richard Stanley Pearson-Adams & Robert Neil Brian Scott	Existing OHL						Y						
Sarah Jane Foster & Andrew David McCloy	Existing OHL						Y						
Alison Jane Clark & Charles John Douglas Clark	Existing OHL						Y						
Andrew Michael Hill & Margaret Joyce Hill	Existing OHL			Y	1								
David James Aspinall	Existing OHL			Y	1								
James Brook Barker, Julie Heather Barker, Nicholas Anthony Barker & Jack Anthony Barker	Existing OHL						Y						
Jillian Marie Midgley & Jonathan Paul Midgley	Existing OHL						Y						
John Barnes & Susan Barnes	Existing OHL			Y	1								
Malcolm David Ambler & Stella Margaret Ambler	Rights during construction											Y	
Jeremy Guy Daniel Whiting & Samantha Jane Whiting	Existing OHL						Y						
Carol Gooch & Jacqueline Peacock	New OHL	Y	1					Y		Y			

<b>PIL Reference</b>	<b>Impact type</b>	<b>Rights New Towers</b>	<b>Number New Towers</b>	<b>Rights Existing Towers</b>	<b>Number Existing Towers</b>	<b>Rights New Over sail</b>	<b>Rights Existing Over sail</b>	<b>Rights Temporary Towers</b>	<b>Rights Temporary Masts</b>	<b>Rights Temporary Oversail</b>	<b>Temporary Const. Compound</b>	<b>Rights Access</b>	<b>Freehold Acquisition</b>
Robert James Silvester Lister & Sarah Wentworth Jane Phillips	Existing OHL			Y	7								
Daniel Dundon, John Mongan, Johnny Quinn & Martin Cleary	New OHL					Y							
Healough Farm (Company No 02391640)	Existing OHL			Y	7								
Newlands (York) Limited (Company No 11217225)	Freehold, OHL and UC	Y	2	Y	2			Y			Y		Y
Oxton Farm (Company No 11217225)	Existing OHL			Y	3								
W S Bayston & Son Limited (Company No 01875965)	Existing OHL			Y	5								
Christopher James Bell	Freehold and OHL	Y	6							Y	Y		Y
Douglas Mackenzie Frazer	Existing OHL											Y	
Elizabeth Angela Bayston	Existing OHL			Y	2								
Roger Ingham	Freehold and OHL						Y						Y
Philip John Chapman & Richard Thomas Chapman	Existing OHL			Y	3								

PIL Reference	Impact type	Rights New Towers	Number New Towers	Rights Existing Towers	Number Existing Towers	Rights New Over sail	Rights Existing Over sail	Rights Temporary Towers	Rights Temporary Masts	Rights Temporary Oversail	Temporary Const. Compound	Rights Access	Freehold Acquisition
George Thomas Ventress Pindar, Henry Scott, James Frederick Fenwick, James Gideon Finlay, Pauline Ann Woodhead, The Parish Estate (Charity No 232810) & Robert William Miers	Existing OHL			Y	1				Y				
William Westaby & Sheila Burton	Existing OHL			Y	2								
Jacqueline Karen Midgley & Joseph Richard Midgley	Existing OHL			Y	1								
Mark Godliman & Tracy Ann Godliman	Existing OHL			Y	2								
Bay Horse Farm Limited (Company No 07182493)	Existing OHL			Y	1								
Andrew Jeremy Barrowman	New OHL	Y	4	Y	1					Y			
Philip John Procter	Existing OHL											Y	
Samuel Smith Old Brewery (Tadcaster) (Company No 00188027)	Freehold, OHL and UC	Y	1	Y	1				Y				Y
Marion Anita Blacker & David Michael Blacker	Existing OHL	Y	3	Y	2					Y			
Paul Robert Swales & Peter David Swales	Existing OHL	Y	3	Y	1			Y		Y			
Simon Robert Carr, Oliver Richard Carr & Peter William Carr	Existing OHL											Y	

PIL Reference	Impact type	Rights New Towers	Number New Towers	Rights Existing Towers	Number Existing Towers	Rights New Over sail	Rights Existing Over sail	Rights Temporary Towers	Rights Temporary Masts	Rights Temporary Oversail	Temporary Const. Compound	Rights Access	Freehold Acquisition
Steeton Farm (Company No 01768423)	Existing OHL			Y	1								
Jayne Louise Fairburn & Jeffrey Fairburn	Existing OHL						Y						
David Hills, Leslie Hills & Kathleen Ann Cunningham	Existing OHL						Y						
William Ritchie	New OHL					Y							
Philip James Watson	Freehold and OHL			Y	1		Y			Y			Y
Stephen Geoffrey Makin	Tenancy surrender												Y
Stephen Geoffrey Makin and Executors of Reginald Geoffrey Makin, Deceased	Freehold												Y
Executors of Reginald Geoffrey Makin, Deceased (David Makin, Stephen Geoffrey & Allyson Makin)	Freehold and OHL									Y			Y
Network Rail Infrastructure Limited (Company No 02904587)	Existing OHL					Y							
Benjamin Atlay Cleminson	New OHL					Y							
National Highways Limited (Company No 09346363)	Existing OHL						Y						Y
Andrew Frazer	New OHL	Y	4										
David Michael Venables & Susanna Venables	Existing OHL						Y						

PIL Reference	Impact type	Rights New Towers	Number New Towers	Rights Existing Towers	Number Existing Towers	Rights New Over sail	Rights Existing Over sail	Rights Temporary Towers	Rights Temporary Masts	Rights Temporary Oversail	Temporary Const. Compound	Rights Access	Freehold Acquisition
Reginald Edward Foster Stephenson & Rosemary Cordingley Executors of Gillian Stephenson	Existing OHL						Y						
Raymond Charles & Stella Smith	Existing OHL			Y	1								
Jonathan Andrew & Lynda Jane Graves	Rights during construction						Y						
North Yorkshire Council	Existing OHL						Y						

- 1.5.2 Of the 112 affected parties, 9 are Category 1 interests affected by freehold acquisition of land, and 24 are affected by new or relocated infrastructure (towers and or over-sail). The remaining interested parties are affected as follows: 81 parties are affected by pre-existing rights for existent infrastructure, 9 parties are affected by rights National Grid requires during construction phase as well as during the operation of the Project and for maintenance.
- 1.5.3 One of the main factors that National Grid has considered in relation to the potential for private loss, is that no affected party with land within order limits, and listed in the Book of Reference will be displaced as a consequence of the construction, operation or maintenance of the Project. 81 out of 112 affected parties are already subject to existing rights in connection with pre-existing infrastructure which National Grid seeks to formalise under the Project. Out of the 9 Category 1 interests, there are none that require 100% of that party's ownership, and so no cases requiring re-location or extinguishment of a business.
- 1.5.4 Details of the limited cases where freehold acquisition of land is required is set out in the table below.

Table 1.3 – Freehold Acquisition of Land

PIL Reference	Detailed Mitigation Measure
Newlands (York) Limited (Company No. 11217225)	Voluntary terms have been issued and are being reviewed by the Landowner's agent. The design has been reviewed following conversations with the Landowner as part of the consultation process with the aim being to reduce the extent of private loss. Changes to the design were subsequently made and discussions held to assist in

PIL Reference	Detailed Mitigation Measure
	avoiding interference with the Landowner's development proposals. If a voluntary agreement is not possible with the landowner, losses incurred will be compensated in line with the Compensation Code. The land take is not thought to be significant based on the farming practices of the holding.
Christopher James Bell	Voluntary terms have been issued and have been commented on by the Landowner's agent. The design has been led through detailed conversations with the Landowner. The design has been reviewed following those conversations as part of the consultation process with the aim being to reduce the extent of private loss. Changes to the design were subsequently made and discussions held to assist in reducing interference with the Landowner's agricultural operations. . If a voluntary agreement is not possible with the landowner, losses incurred will be compensated in line with the Compensation Code. The land take is not thought to be significant based on the farming practices of the holding.
Roger Ingham	Voluntary terms have been issued and the Landowner's agent and detailed and regular negotiations are ongoing with the Landowner's agent. The design has been reviewed following those conversations as part of the consultation process with the aim being to reduce the extent of private loss. Changes to the design were subsequently made and discussions held to assist in reducing interference with the Landowner's landholding. If a voluntary agreement is not be possible with the landowner, losses incurred will be compensated in line with the Compensation Code. The property is not a commercial holding and it is not anticipated to have a significant impact upon the residential amenity.
Samuel Smith Old Brewery (Tadcaster) (Company No. 00188027)	Voluntary terms have been issued and the Landowner has instructed an agent. The design has been reviewed following conversations with the Landowner as part of the consultation process with the aim being to reduce the extent of private loss. Changes to the design were subsequently made to assist in reducing interference with the Landowner's landholding. . If a voluntary agreement is not possible with the landowner, losses incurred will be compensated in line with the Compensation Code. The land take is not thought to be significant based on the farming practices of the holding.
Philip James Watson	Voluntary terms have been issued and the Landowner has instructed an agent. National Grid has considered all consultation feedback and sought to explain the design included in the DCO application. If a voluntary agreement is not possible with the landowner, losses incurred will be compensated in line with the Compensation Code. The land take is not thought to be significant based on the farming practices of the holding.
Stephen Geoffrey Makin and Executors of Reginald Geoffrey Makin deceased (David Makin Stephen	Voluntary terms have been issued and one of the joint Landowners is in communication with National Grid. Due to the passing of one of the joint owners the ownership of the land is currently being finalised, and so it is not currently possible to assess the impact on the wider land holding. If a voluntary agreement is not possible with the landowner, loss will be compensated in line with the Compensation Code. The land take is not thought to be significant based on the farming practices of the holding.

PIL Reference	Detailed Mitigation Measure
Geoffrey Makin, Allyson Makin)	
Executors of Reginald Geoffrey Makin deceased (David Makin, Stephen Geoffrey Makin, Allyson Makin)	Voluntary terms have been issued to the executors of the estate and National Grid is in communication with them over voluntary terms offered.. Due to the passing of the landowner, the impact on the wider holding cannot be assessed as probate is not complete. If a voluntary agreement is not possible with the executors, loss will be compensated in line with the Compensation Code.
Stephen Geoffrey Makin	A voluntary termination of the tenanted land owned by National Grid has been completed.
National Highways	Voluntary terms have been issued to the landowner, and dialogue has been held to progress

- 1.5.5 Paragraph 4 of **Statement of Reasons (Document 4.1) [APP-069]** sets out National Grid’s proposals in relation to compulsory acquisition of land and rights in land. National Grid has always sought to try and minimise the extent of land that might be required. Wherever possible National Grid has sought to reach agreement with affected parties and sought to mitigate those impacts on those persons. National Grid confirms that through engagement with affected parties it has sought to understand the extent of the land that is required. But also, where there are occupational businesses affected have engaged with those to understand what that impact is and how they can then address that private loss.
- 1.5.6 Para 5.8 of **Statement of Reasons (Document 4.1) [APP-069]** explains National Grid’s approach to reaching voluntary agreement with affected parties. In an attempt to encourage early agreement with affected parties, the terms offered by National Grid for voluntary agreements include payments that National Grid considers exceeds entitlement under the provisions of the national compensation code, and provisions of the **Draft Development Consent Order (Document 3.1(B)) [AS-011]**.
- 1.5.7 Where it is not possible to secure a voluntary agreement with affected parties, those with a qualifying interest will be entitled to claim compensation. Where freehold land, or rights in land are acquired, compensation is payable under the provisions of the national compensation code. Where temporary occupation of land is required, provisions for losses are set out at articles 36 to 39 of **Draft Development Consent Order (Document 3.1(B)) [AS-011]**. The overriding principle of compulsory purchase compensation is ‘equivalence’. This means that people whose land is (or rights are) acquired compulsorily should be left neither better nor worse off financially as a result of their land being acquired. The compensation payable should be neither more nor less than the value of their loss, putting them back into the same financial position had it not been for the acquisition or imposition of rights.
- 1.5.8 In the 9 freehold cases, compensation will be available and payable so to place the qualifying interest back into the same position financially as if the compulsory acquisition of land had not have occurred. In the event that National Grid is unable to secure a voluntary agreement with one of the freehold interests, and there is a dispute over the amount of compensation they are entitled to, affected parties have the right to apply to the Upper Tribunal (Lands Chamber), for determination. Should such a situation exist, National Grid’s preference would be to utilise appropriate Alternative Dispute Resolution techniques where appropriate to do so.

- 1.5.9 The same approach applies to cases where rights in land are sought for new or relocated infrastructure, as well as other rights sought in relation to access for construction and maintenance where the loss to interested parties is considered far less.
- 1.5.10 Paragraph 8.1.10 of **Statement of Reasons (Document 4.1) [APP-069]** confirms that on the basis that the DCO is made, a person aggrieved may challenge the DCO by judicial review in the High Court if they consider that the grounds for doing so are made out.
- 1.5.11 An update to the Status of Negotiations table included at paragraph 5.8.6 of **Statement of Reasons (Document 4.1) [APP-069]** is set out below:

**Table 1.4 – Status of Negotiations**

<b>Status of Agreement</b>	<b>Total Number</b>
Heads of Terms in Negotiation	90
Heads of Terms Agreed and with National Grid Lands for authorisation	5
Heads of Terms sent to legal	16
Option Agreement Signed and Exchanged	1

## **1.6 Conclusion**

- 1.6.1 Chapter 3 of **Statement of Case (Document 4.1) [APP-069]**, the **Updated Need Case (Document 7.4) [APP-205]** and the **Planning Statement (Document 7.1) [APP-202]** explain how there is a national need for the provision of new energy infrastructure.
- 1.6.2 The benefits outlined above coupled with the requirement for National Grid to comply with its transmission licence obligations as well as facilitating UK Government commitments to reduce greenhouse gas emissions to net zero, provide in National Grid’s view, a compelling case in the public interest to use compulsory powers, which sufficiently outweighs the loss to landowners who will be able to claim compensation to put them back into the same position as far as money can do so, had it not have been for the compulsory acquisition of land and rights in land.
- 1.6.3 National Grid does acknowledge there may be impacts on individuals as well as part of the compelling case and balance to be weighed up by the decision maker. But its assessment in the Statement of Reasons is that there are significant cumulative public benefits that arise which outweigh the loss to those individuals. This has already been referenced to in some agreements that have been reached in order to deal with any concerns affected persons may have. The requirement for compulsory acquisition powers will ensure timely acquisition of the necessary land and rights needed to construct and maintain the Project.
- 1.6.4 On balance it is in the interests of the community, region and nation as a whole to make the DCO over and above the interest of the individuals affected. The losses to the individuals are capable of being compensated and are therefore considered justified.
- 1.6.5 The broad public benefits of the scheme are set out in the documents referred to in this document. The most significant of which is the upgrading of the transmission system to enable greater capacity for the transmission of renewable energy efficiently across the



system which will enable to Government to meet its net-zero targets at an optimal cost to the consumer.

- 1.6.6 National Grid operates robust systems to ensure that its plans are thoroughly consulted upon and that stakeholders' views are taken into account. Further, National Grid operates a well established iterative project development process, taking into the balance; impact on the environment, impacts on local communities, technical feasibility and cost. These processes are clearly set out in the application documents which are consistent in their approach to routing of new overhead lines and siting of Cable Sealing End Compounds and sub-stations. National Grid remains engaged with stakeholders and will do throughout the construction and operation of the project.

# **Appendix I      Technical Note - Tadcaster East Cable Sealing End Compound Design, and Technical Note - Tadcaster East Cable Sealing End Compound Access Option**

YG-DCO-101-I

# Yorkshire Green Energy Enablement (GREEN) Project

**Volume 8**

**Document 8.9.2-I Appendix I Part 1 – Technical Note - Tadcaster East  
Cable Sealing End Compound Design**

**Final Issue A  
April 2023**

**Planning Inspectorate Reference: EN020024**

Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009 Regulation 5(2)(q)

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# Yorkshire Green Energy Enablement (GREEN) Document control

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## Version History

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Date	Version	Status	Description / Changes
26/04/2023	A	FINAL	First Issue

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# 1. Introduction

## 1.1 Purpose of Technical Note

1.1.1 This Technical Note Tadcaster East Cable Sealing End Compound Design has been prepared to explain further the rationale and evolution of the design of the Tadcaster East CSEC and in respect of the interaction with the private right of access. A Technical Note Tadcaster East Cable Sealing End Compound Access Option has also been prepared to explain further why a diversion to the existing private right of access at the proposed Tadcaster East Cable Sealing End Compound (CSEC) has not been proposed as part of the application and the constraints relating to the option to divert that right of access. Both Technical Notes are included at **Appendix I to Applicant's Response to Examining Authority's First Written Questions (ExQ1) Appendices (Document 8.9.2)**. The two technical notes taken together provide further detail on why it has been necessary to seek the extinguishment of an existing private right of access on land at the proposed Tadcaster East CSEC.

## 1.2 Overview

1.2.1 The need case for the Tadcaster East CSEC (and Tadcaster West CSEC) is presented along with an explanation as to why pylon XC481 and XD001 were selected for the new connections. A brief history is given to contextualise the design and siting process before the key constraints are summarised with their resolution.

## 2. Tadcaster East CSEC

### Introduction

#### Need Case

- 2.1.1 The existing electricity transmission network was not designed to transfer the current and increasing volume of generation capacity from the North to major centres of electricity demand which continue to exist in central and southern England. The network will require significant reinforcement in the Yorkshire area to provide capacity for these connections and customers to ensure that power can be transferred securely to onshore demand centres in the south to meet the needs of Great Britain electricity consumers.
- 2.1.2 National Grid Electricity Transmission (National Grid) has obligations under its Transmission Licence to provide an efficient, economic and co-ordinated transmission system in England and Wales. National Grid is required at all times to plan and develop the transmission system in accordance with the National Electricity Transmission System Security and Quality of Supply Standard (NETS SQSS) and to offer connections to and/or use of the transmission system via the National Grid Electricity System Operator (ESO).
- 2.1.3 The growth in generation and interconnectors to Europe and rising transfers of onshore and offshore wind from Scotland, alongside connections in the northern regions of England, means that by 2027, boundaries B7, B7a and B8 of the transmission system will exceed their current capacity.
- 2.1.4 This assessment is supported by both the Network Options Assessment (NOA) and the Future Energy Scenarios (FES) which are undertaken by the Electricity System Operator (ESO), independently of National Grid as the transmission owner. The FES identified that from 10,000 MW to between 20,000 MW to 30,000 MW is required in increased capacity by 2040 driven by generation to achieve net zero targets.
- 2.1.5 The National Grid ESO manages shortfalls in boundary capacity by reducing power flows and constraining generation. This is achieved by paying generators to reduce their outputs, known as 'constraint costs'. Ultimately, constraint costs are passed on to consumers and businesses through electricity bills. When constraint costs become higher than the cost of investment required to reinforce the network (and remove the need for constraint costs) it is considered right to proceed with investment for reinforcement. Without reinforcement by 2027 there can be no further unconstrained connections above boundary B8.
- 2.1.6 In addition, the following three contracted customers have connection offers which are reliant on reinforcement of the network:
- Continental Link – A 1.8GW Interconnector between England and Norway to connect in the Creyke Beck Substation, close to Hull, by 2027
  - The Atlantic Superconnection - A 1GW Interconnector from Iceland expected to connect in the Creyke Beck Substation, close to Hull, by 2027



- Hornsea Offshore P4 - 2 phased connection application for 2.6GW (1.5GW in 2027 and 1.1GW in 2028) of offshore wind generation with an offer to connect in the North East in April 2027 and October 2028 for each phase respectively.

2.1.7 Therefore, there is an urgent need to reinforce the network in the Yorkshire area by 2027 in order to enable connection of three contracted customers; ensure future connections of renewable generation can be connected without incurring significant constraint costs; facilitate net zero ambitions; and meet National Grid's transmission licence obligations. Further details can be seen in the **Updated Need Case (Document 7.4) [APP-205]**.

## Pylon Selection

2.1.8 During the optioneering process, existing pylons XC481, XC480 and XC479 were identified as potential pylons for the CSEC connection, as were XD001T, XD002 and XD003. The project-wide appraisals resulted in pylons XD001 (new) and XC481 (existing) being selected as the preferred assets to reduce the overall length of underground cable required, and to maximise the re-use of existing assets as far as possible. The full outcomes from this appraisal can be found in the **Corridor Preliminary Routeing and Siting Study 2021 (Document 7.8) [APP-209]**.

2.1.9 The appraisal process noted that pylon XC481 could be modified and re-used with pylon strengthening and foundation strengthening, rather than constructing a new pylon, which is required at XD001T as explained below.

2.1.10 Pylon XC481 was selected as it is an existing junction pylon. A junction pylon allows one circuit (that carries electricity) to 'tap off' an overhead line (OHL), whilst maintaining the power flow in the main overhead line circuit.

2.1.11 As steel lattice overhead lines typically carry one circuit on the left and one circuit on the right of the pylon, only one circuit can be 'tapped' for an overhead tee connection in a certain direction.

2.1.12 The other circuit goes to a CSEC where it transitions to an underground cable. The underground cable can then cross beneath the overhead circuits and transition back to an overhead circuit on the nearest suitable pylon.

2.1.13 As there were no other existing terminal pylons in the area, pylon XD001T was selected for the Tadcaster East CSEC connection. XD001T is a suspension pylon, which is not structurally suitable to modify for a tee connection and had to be replaced with a terminal pylon (XD001) and new foundations, which are designed for this type of connection.

## 2.2 Key Constraints

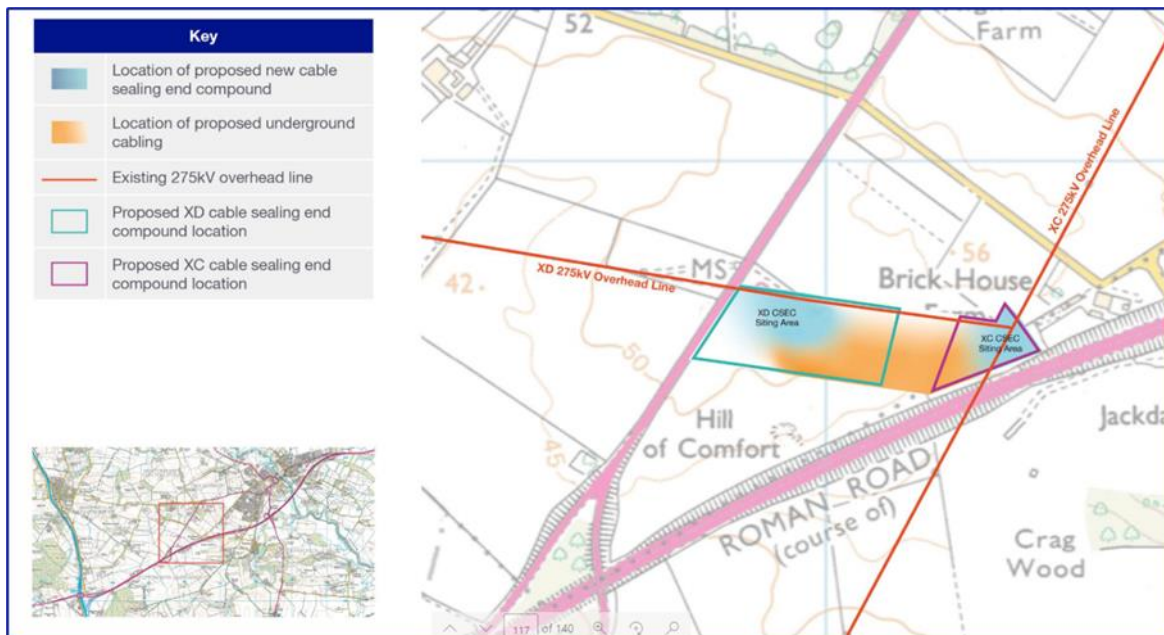
2.2.1 Key constraints in the area of pylon XC481 (the location of Tadcaster East CSEC) included, but were not limited to:

- High pressure gas pipeline;
- Medium pressure gas pipe diversion;
- A64 embankment and National Highways boundary;
- Sloping topography;
- Electric and Magnetic Fields (EMF);

- Existing access road; and
- Telecommunications equipment in close proximity.

## 2.3 Brief History and Constraint Management

2.3.1 The graduated preliminary locations of the CSEC's and underground cabling at Tadcaster, as set out in Figure 5.2 of the **Corridor Preliminary Routeing and Siting Study (Document 7.8) [APP-209]**, identified the area shown in Figure 1 to locate the CSEC.

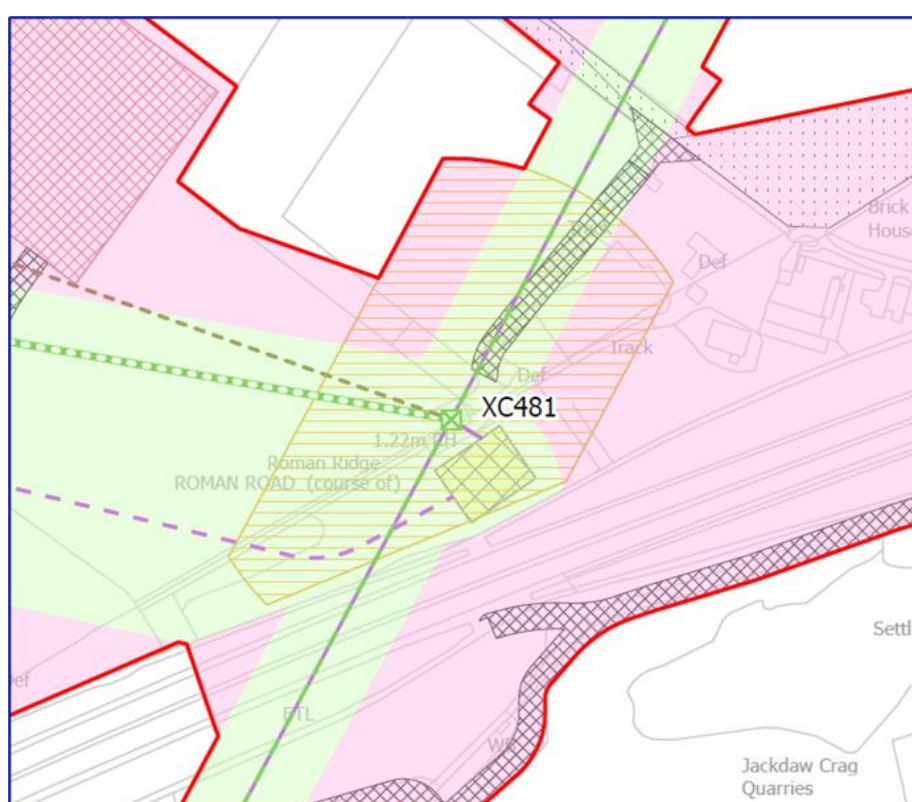


**Figure 1 - Graduated Preliminary Locations of the CSEC<sup>1</sup>**

- 2.3.2 An iterative approach was taken in addressing physical constraints and electrical clearances.
- 2.3.3 The teal area in Figure 1 represented an area within which to seek to locate the CSEC subject to further assessment and design. The area was indicative only.
- 2.3.4 Using a generic desktop assessment and information from early site visits, key constraints were apparent with the potential encroachment onto National Highways land and associated embankment, a number of different land holdings in the area which could potentially be affected, potential interaction with existing telecommunications assets, and potential for building over a medium pressure gas main and high pressure gas main.
- 2.3.5 To mitigate many of the constraints, the site of Tadcaster East CSEC was refined to the field shown in Figure 2, which avoided encroaching on National Highways Land, adjacent land holdings, the high pressure gas main, and allowed space for the medium pressure gas main diversion.

<sup>1</sup> National Grid (2021), Document 7.8 Corridor and Preliminary Routeing and Siting Study [APP-209].

- 2.3.6 Space was allowed between the A64 boundary and embankment to the CSEC fence for the medium pressure gas main diversion to allow for construction and maintenance of both the pipeline and CSEC.
- 2.3.7 The design and shape of the CSEC was shown illustratively, as a generic area, pending the design process. The extent of civil works which would be required to level the CSEC were unknown at this stage pending survey.
- 2.3.8 2 shows the approximate CSEC location which was consulted on during Statutory Consultation.
- 2.3.9 The potential extent of a sloped embankment was developed to level the CSEC based on ordnance survey terrain data and estimated based on minimum and maximum contour levels, prior to the receipt of LiDAR. The initial embankment designs encroached on the medium pressure gas diversion easement and the area between the CSEC and pylon XC481.



**Figure 2 – Statutory Consultation CSEC<sup>2</sup>**

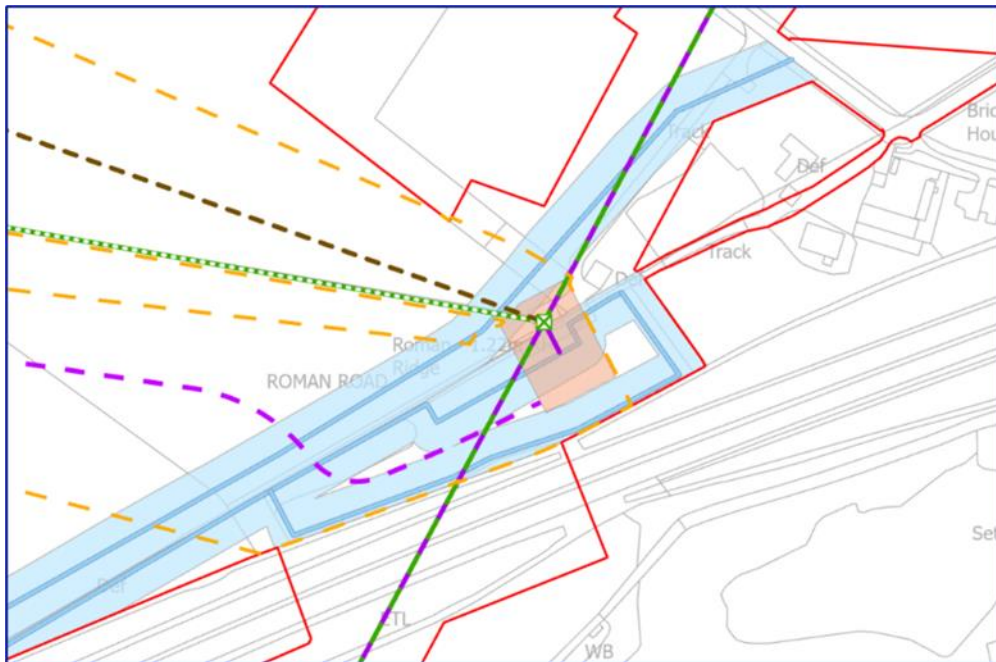
- 2.3.10 Following Statutory Consultation, LiDAR was received, and the topography of the area could be assessed in more detail. The LiDAR confirmed the extent of the ground slope. Feasibility designs for an embankment to level the CSEC were developed using the information received.
- 2.3.11 The iterative approach was continued to address the physical constraints and electrical clearances needed as the design evolved.
- 2.3.12 The new embankment to level the CSEC encroached on to the area between the pylon and the CSEC. The northwest fence of the CSEC also had to be moved towards the

<sup>2</sup> National Grid (2021), Statutory Consultation Key Plans

pylon to achieve electrical clearance between the bottom downlead and fence. Pylon XC481 required modification to the crossarms on the CSEC side to accommodate the downleads and achieve electrical clearances to the pylon steelwork and between the downleads.

- 2.3.13 Optimum transposed phasing on the OHL to Knaresborough to reduce EMF was implemented. Phasing is the way in which the two circuits of an overhead line are wired relative to each other. When the phases are arranged, so that the electric and magnetic fields reduce quickest with distance from the overhead line, this is known as optimum phasing. Optimum phasing is always sought, however impacts to system stability and electrical clearance issues can prevent this in some cases. To accommodate this the downleads to anchor blocks at pylon XC481 to Tadcaster East CSEC (and at Tadcaster West CSEC to pylon XD001) were modified. The orientation and location of the anchor blocks was modified to achieve the optimum phasing and spacing between phases to achieve electrical clearances. The previous CSEC arrangement would not achieve the electrical clearances to meet the optimum phasing or reduce the EMF.
- 2.3.14 To mitigate the constraints identified, the Tadcaster East CSEC was modified to encompass pylon XC481 and moved to the northwest. The compound was moved to the northwest to avoid the highways embankment and seek to provide space for the medium pressure gas main diversion between the new CSEC and the highway embankment.
- 2.3.15 Anchor blocks were moved to be as close as possible to the pylon to give as much space as practical for the medium pressure gas main diversion and easement around the CSEC and civil works associated with levelling the CSEC.
- 2.3.16 The CSEC was proposed to be rotated from its Statutory Consultation design orientation. This was the subject of Targeted Consultation between 14 March 2022 and 14 April 2022 (See change 5 detailed at Paragraphs 8.2.28 – 8.2.30 in the **Consultation Report (Document 6.1) [APP-195]** and letters sent to affected Land Interests in Appendix U13 of the Consultation Report Appendices **(Document 6.2 Part 3 of 3) [APP-198]**. This ensured it was perpendicular to the circuit, avoiding any clearance issues with the overhead lines. It was also proposed to chamfer ('cut off') the northwest corner of the CSEC to prevent any infringement to the easement for the existing high pressure gas main.
- 2.3.17 As the design progressed it became evident that the need for a retaining wall could be avoided, which was beneficial for landscape and visual impacts, more economical, and beneficial to the programme. However, the alternative, an embankment slope, encroached the available space towards the A64 boundary, where the gas pipeline diversion is planned. Space between the A64 boundary and the CSEC embankment were optimised as much as practical by the equipment in the CSEC being as close to the pylon as possible.

Refer to Figure 3 for the CSEC area. Civil works (neither permanent or temporary) and the extent beyond the fence line for future maintenance are not shown for clarity.



**Figure 3 – Submission CSEC<sup>3</sup>**

2.3.18 If the fence was to encompass the Cable Sealing End equipment only, the CSEC fence would interact with the pylon base area and the maintenance area would be impeded. In addition, any external vehicular traffic would infringe clearances to the equipment if they were to attempt to pass between the pylon and CSEC equipment. On that basis it is required that the fence encompasses the Cable Sealing End equipment and pylon to ensure safety clearances are met.

<sup>3</sup> National Grid (2023), 2.6.4(B) Works Plan Section D (Document 2.6.4(B) (REP1-007)

## 2.4 Conclusion

### Re-use of Existing Pylon XC481

- 2.4.1 During the optioneering process, pylon XC481 (siting area XC1) was identified as a potential pylon for the CSEC connection, as was pylon XD001T (siting area XD1). The project-wide appraisals resulted in pylons XD001 (new) and XC481 (existing) being selected as the preferred assets to reduce the overall length of underground cable required, and to maximise the re-use of existing assets as far as possible. The full outcomes from this appraisal can be found in Section 5.1 of the **Corridor Preliminary Routeing and Siting Study (Document 7.8) [APP-209]**.
- 2.4.2 Pylon XC481 specifically is an existing junction pylon that could be modified, rather than replaced with a new pylon, to accommodate the new arrangement.

### High Pressure Gas Pipeline

- 2.4.3 The cables connecting Tadcaster East CSEC and Tadcaster West CSEC would cross beneath the existing high-pressure gas main. The proposed Tadcaster CSECs have been designed to avoid permanent structures within the high-pressure gas main easement such that the high-pressure gas main does not need to be diverted.

### Medium Pressure Gas Pipeline Diversion

- 2.4.4 The proposed Tadcaster East CSEC position would affect the existing medium pressure gas pipeline route. The medium pressure gas pipeline was selected by National Grid to be diverted. National Grid approached Northern Gas Networks (NGN) to produce an indicative diversion for feasibility assessment, which will follow the A64 boundary and embankment.
- 2.4.5 Diverting the medium pressure gas pipeline de-risks the proposed cable crossing, which would have had to cross the high-pressure gas main and medium pressure gas main, which would involve a high degree of complexity.
- 2.4.6 The Tadcaster East CSEC was positioned as close to the existing pylon as possible to allow space for the medium pressure gas main diversion. Due to the topography, an embankment and associated civil works were required to level the CSEC and avoid building the embankment on the area required as an easement for the diverted medium pressure gas main, which meant that the CSEC fence line could not be flush with the area required for the diversion.

### A64 Embankment and National Highways Boundary

- 2.4.7 Works on National Highways' land were avoided as National Grid sought to have no impact on the A64 and adjacent National Highways embankment which forms part of the strategic road network.
- 2.4.8 This led to the CSEC being positioned closer to the existing overhead line as the iterative design developed and the extent of the civil works required became known.

### Sloping Topography

- 2.4.9 The topography at the Tadcaster East CSEC site is sloping away from pylon XC481 downwards to the south east towards the A64 embankment and National Highways' land boundary.

- 2.4.10 A CSEC needs to have a level surface for construction, operation and maintenance. Therefore, civil works are required. Civil works could be an embankment or a retaining wall. An embankment was proposed to level the CSEC due to programme and economic benefits, as well as to avoid the potential landscape and visual impacts of a retaining wall.

## **EMF**

- 2.4.11 The arrangement of the downloads was selected to reduce EMF on the Knaresborough overhead line. By arranging the downloads and cables in a certain way the two circuits on the overhead line can be optimally transposed and thereby reduce EMF.

## **Existing Access Road**

- 2.4.12 An existing access road is on the land where the CSEC is proposed. National Grid did not provide an access diversion for the existing right of access for the reasons explained in Technical Note Tadcaster East Cable Sealing End Compound Access Option **YG-DCO-112** and in **6.1 Consultation Report [APP-195]** paragraph 8.4.15.
- 2.4.13 If the fence was to encompass the Cable Sealing End equipment only, the CSEC fence would interact with the pylon base area and the maintenance area would be impeded. In addition, any external vehicular traffic would infringe clearances to the equipment if they were to attempt to pass between the pylon and CSEC equipment. The fence would also be underneath the crossarms of the pylon, would interact with the pylon base area, and would impede the maintenance area. On that basis it is required that the fence encompasses the Cable Sealing End equipment and pylon to ensure safety clearances are met.
- 2.4.14 National Grid sought to de-risk potential damage to the pylon leg, concrete muff and CSEC fence from vehicles or equipment by enclosing the pylon and CSEC in a fence, whilst maintaining maximum space towards the National Highways boundary for the medium pressure gas diversion and embankment to level the CSEC. Consequently, Tadcaster East CSEC, which encompasses pylon XC481, avoids National Highways land and is located across two existing land parcels.

## **Telecommunications equipment in close proximity**

- 2.4.15 An existing telecommunications kiosk was avoided when planning for the Tadcaster East CSEC position.
- 2.4.16 During the design process a new telecommunications mast was installed in the north-eastern corner of the field where the CSEC was proposed, adjacent to the A64 boundary. The proposed CSEC would not affect this mast.

## **Summary**

- 2.4.17 In summary, the use of anchor blocks would be employed to keep the circuits as close to the pylon as possible to manage the constraints identified. The design of the Tadcaster East CSEC fence encompasses the pylon to ensure electrical, maintenance and safety clearances would be maintained. The orientation of the CSEC utilising anchor blocks also allows optimum transposed phasing on the Knaresborough overhead line circuits, reducing EMF.
- 2.4.18 The above constraints all factored into the location of the Tadcaster East CSEC, however the medium pressure gas main diversion, management of the sloping topography and

resulting embankment to keep the CSEC level, as well as the restricted area near National Highways' boundary were the key constraints that impacted the design of the Tadcaster East CSEC.



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# Yorkshire Green Energy Enablement (GREEN) Project

**Volume 8**

**Document 8.9.2-I Appendix I Part 2 – Technical Note - Tadcaster  
East Cable Sealing End Compound Access Option**

**Final Issue A  
April 2023**

**Planning Inspectorate Reference: EN020024**

Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
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# Yorkshire Green Energy Enablement (GREEN) Yorkshire Green Energy Enablement (GREEN) Project Document control

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## Version History

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Date	Version	Status	Description / Changes
26/04/2023	A	Final	First Issue

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# Executive summary

## Purpose of this Technical Note

This Technical Note, Tadcaster East Cable Sealing End Compound Access Option, has been prepared to explain further why a diversion to the existing private right of access at the proposed Tadcaster East Cable Sealing End Compound (CSEC) has not been proposed as part of the Application and the constraints relating to the option to divert that right of access. The **Technical Note Tadcaster East Cable Sealing End Compound Design** (both technical notes are located in **Appendix I** to the **Applicant's Response to Examining Authority's First Written Questions (ExQ1) Appendices (Document 8.9.2)**) provides further detail on the rationale and evolution of the design of the Tadcaster East CSEC including the constraints to the design, which explains why the private right of access is not possible to be retained in its current location. The two technical notes taken together provide further detail on why it has been necessary to seek the extinguishment of an existing private access on land at the proposed Tadcaster East CSEC.

The Tadcaster East CSEC is approximately 3km southwest of the market town of Tadcaster in North Yorkshire and forms part of the Yorkshire Green Energy Enablement (GREEN) Project (referred to as Yorkshire GREEN or the Project) to strengthen the existing network in the north and northeast of England. The site is located at approximate latitude 53.8694, longitude 1.2971 and GPS coordinates 53° 52' 10,1064" North, 1° 17'50.1" West. The site location is shown in Figure 1.

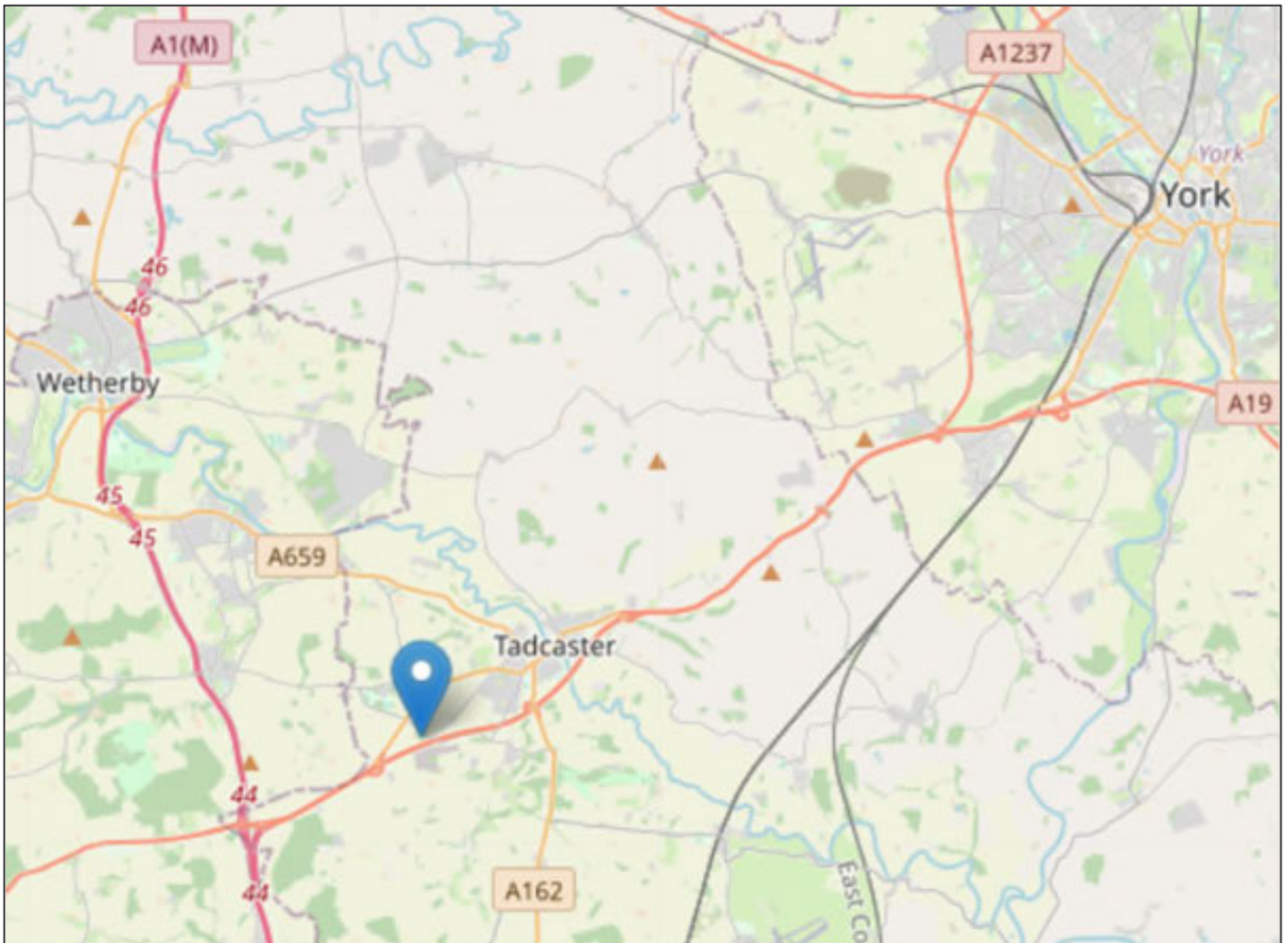


Figure 1: Site Location

## Key Constraints

As part of the design, a potential diversion of the existing private access, to go around the new proposed CSEC, was reviewed. The items discussed within this Technical Note include the key constraints on site that affect the safety and constructability of this diversion to the right of access. The constraints include the following:

- National Gas Networks medium pressure gas main diversion;
- New telecoms mast and access road;
- A64 embankment and National Highways boundary to the south of the site;
- The cut/ fill of the proposed access diversion and the risk of encroachment on National Highways' land;
- Sloping existing ground, requiring civil works for the new embankment south of the CSEC, constraining the corridor between the CSEC and highway; and
- Proximity of a sloping road to the A64 embankment

## Constraints Summary

The site is constrained by multiple issues affecting several asset owners and adding to the cost and complexity of providing an alternative access route. National Grid have investigated the possibility of an access option around the proposed CSEC. The proposed solution would be technically difficult to construct and would bring about safety concerns in both the construction and operation of the diversion of the access road, such that it is not considered feasible or proportionate to provide. In addition, there is currently an existing access to the site off the A659, which is considered to be a suitable alternative.

# 1. Tadcaster East CSEC Access

## 1.1 Purpose of Technical Note

- 1.1.1 This Technical Note has been prepared to explain further why a diversion to the existing private right of access at the proposed Tadcaster East Cable Sealing End Compound (CSEC) has not been proposed as part of the Application and the constraints relating to the option to divert that right of access. The **Technical Note Tadcaster East CSEC Design** (both technical notes are located in **Appendix I to Applicant's Response to Examining Authority's First Written Questions (ExQ1) Appendices (Document 8.9.2)**) provides further detail on the rationale and evolution of the design of the Tadcaster East CSEC including the constraints to the design, which explains why the private right of access is not possible to be retained in its current location. The two technical notes taken together provide further detail on why it has been necessary to seek the extinguishment of an existing private access on land at the proposed Tadcaster East CSEC.

## 1.2 Introduction

- 1.2.1 The Tadcaster East CSEC is located at an existing National Grid Overhead Line (OHL) pylon XC481. This location is fixed due to the connection point of the electrical circuit. Refer to **Technical Note Tadcaster East Cable Sealing End Compound Design** (located in **Appendix I to the Applicant's Response to Examining Authority's First Written Questions (ExQ1) Appendices (Document 8.9.2)**), for further information on the selection of pylon XC481 and the orientation of the CSEC.
- 1.2.2 The base level of the pylon legs has also governed the finished site level of the new CSEC platform, which is required to be a level surface for operation. This, in combination with the existing site sloping towards the highway embankment, would require earthwork embankments to achieve the required level.



1.2.3 Due to the proposed installation of the Tadcaster East CSEC, an existing private right of access will be permanently severed and is proposed to be extinguished. A further assessment of the option to divert the access south around the new Tadcaster East CSEC, to reconnect the severed access, has been undertaken and the conclusions of this are presented below. Figure 2 shows the CSEC and the severed private right of access.

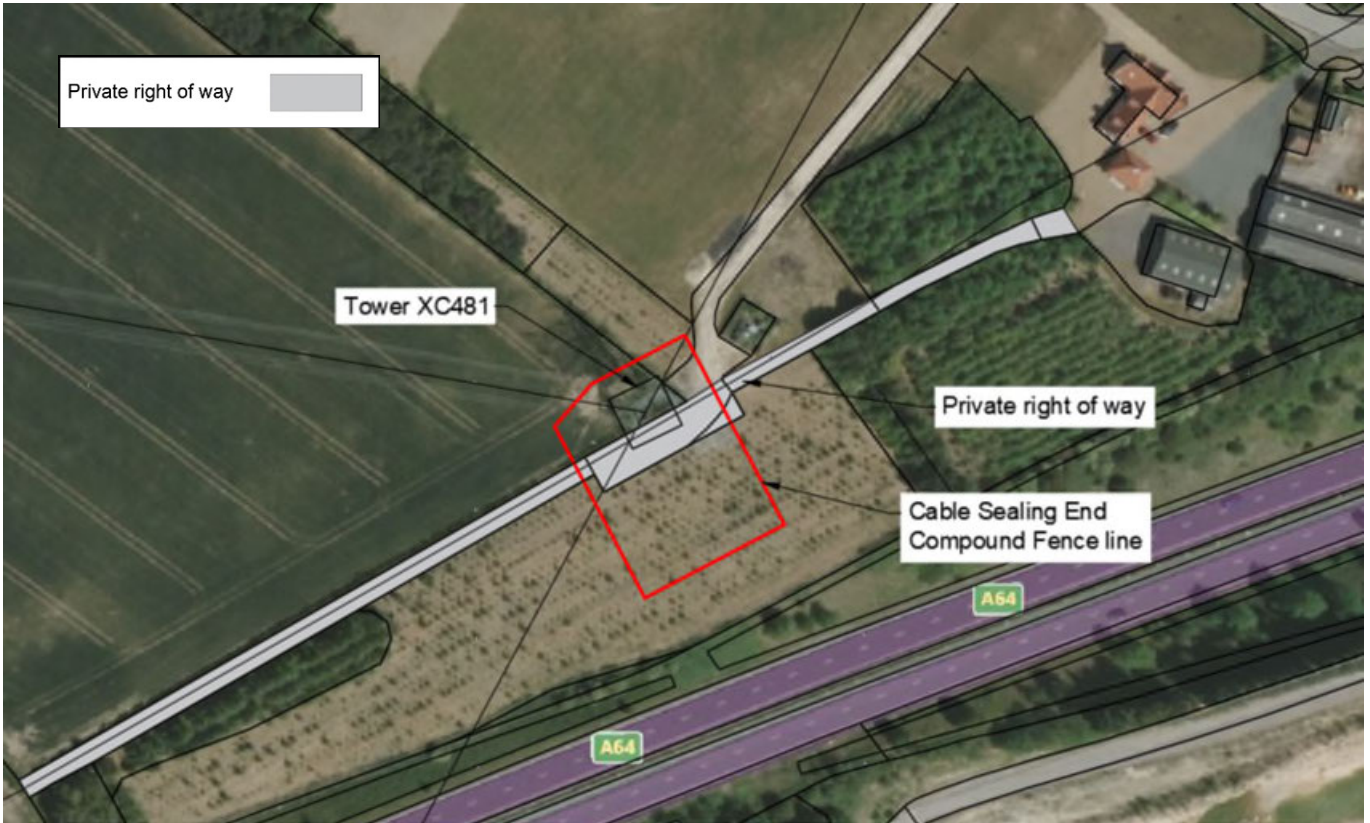


Figure 2: CSEC Location

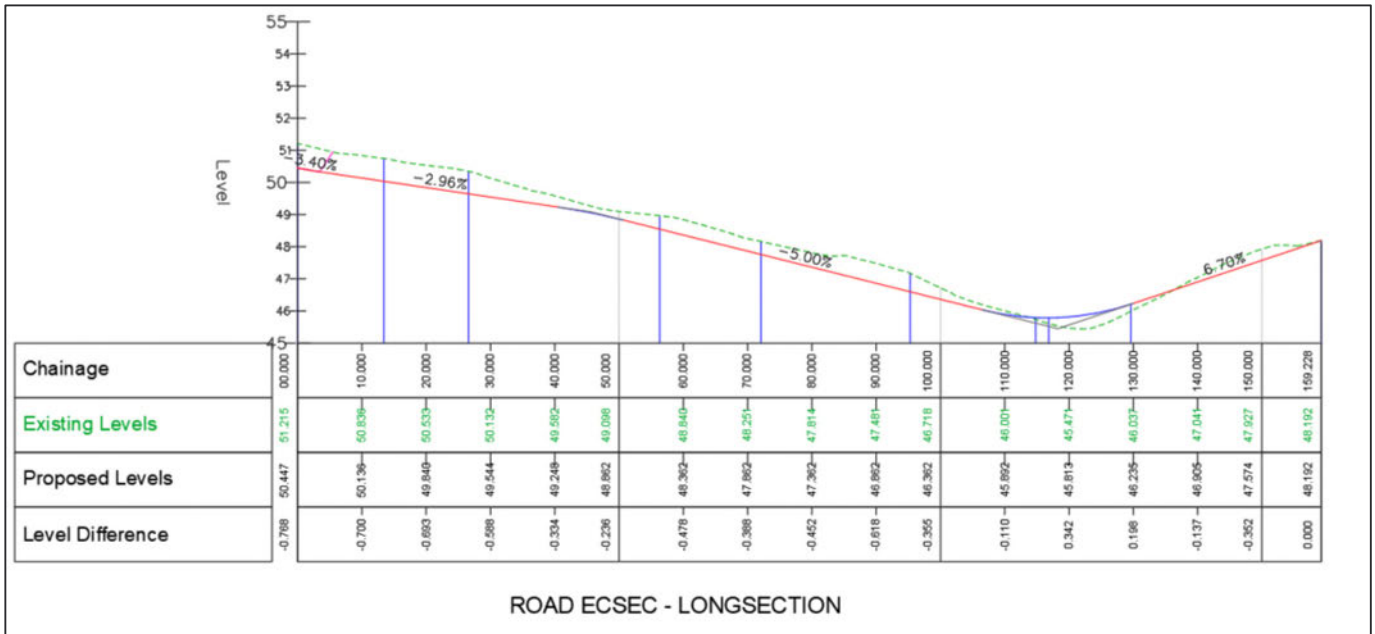
1.2.4 The option to divert the private right of access to the south of the CSEC (the 'Access Option') requires a diversion of approximately 160m in length. This would diverge south of the existing third-party access track, just prior to the new Tadcaster East CSEC location. The diversion would continue around the CSEC at an alignment parallel to its fence line. The diversion would reconnect to the existing third-party access on the west side of the new proposed CSEC.

1.2.5 The Access Option is shown in blue in Figure 3. The Cut/Fill profile is shown in Annex A of this technical note. The road starts at a level of 50.447m and slopes down to around 45.810m after 115m. The average level difference between the existing ground and Access Option level is -0.447m. After 115m the road slopes upwards with an average level difference of 0.013m between existing ground and Access Option level.



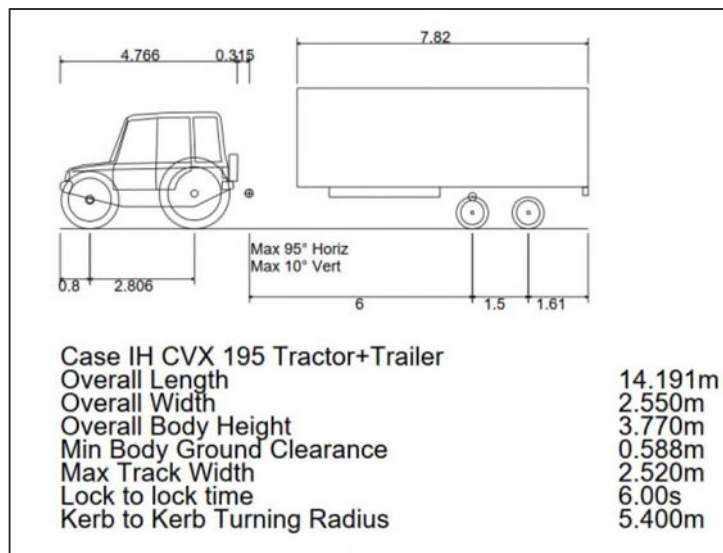
Figure 3: Access Option Layout

1.2.6 Figure 4 shows the vertical profile of the Access Option and the existing ground profile along the length of the road alignment. Refer to Annex A for the alignment. The Access Option has gradients of 3.4%, 2.96% and 5% between approximate chainage 0m and 115m. Between chainage 115m and 160m, the Access Option has its maximum gradient of 6.7%.



**Figure 4: Access Option Vertical Profile**

1.2.7 National Grid anticipates that the access would primarily be used for agricultural use (although it is noted that the existing easement grants a right at all times and for all purposes, see further detail below), and therefore a swept path analysis of a tractor trailer has been conducted. In addition, swept path analysis was conducted for a 7.5T rigid vehicle, which could potentially be used for small equipment or material deliveries. Both vehicles used for the proposed alignment swept path modelling are shown in Figure 5 and Figure 6. A drawing depicting the swept path alignment for the 7.5 tonne rigid vehicle is shown in Annex A. A drawing depicting the swept path alignments for the tractor and trailer is shown in Annex B. This shows that the Access Option would potentially be feasible for these types of vehicles, subject to constraints.



**Figure 5: Details of the tractor + trailer vehicle assumed to complete the swept path analysis**

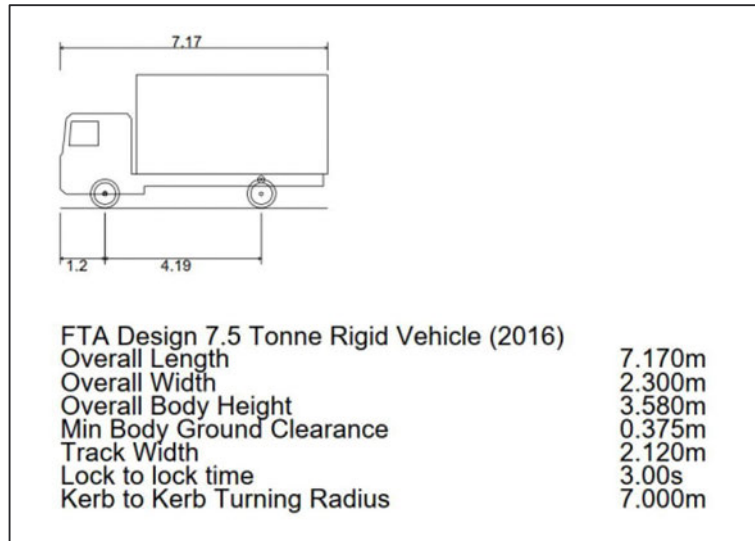


Figure 6: Details of the Rigid vehicle assumed to complete the swept path analysis

- 1.2.8 However, as it would not be possible to restrict the use of the Access Option (as the existing easement grants a right at all times and for all purposes) to these types of vehicles or enforce the prevention of larger vehicles using it throughout its lifetime, it would be necessary to design the Access Option so it could be used by any road legal vehicle. Accordingly, additional vehicle swept path analysis was carried out using the maximum legal length (UK) articulated vehicle. Figure 7 shows the details of the vehicle.
- 1.2.9 To further investigate the construction feasibility required to facilitate the maximum legal length (UK) articulated vehicle, an access was modelled based on this vehicle's swept path, including the earthworks which would be required, shown in Annex C. Figure 8 shows the swept path of the maximum legal length (UK) articulated vehicle on the proposed Access Option. This vehicle cannot navigate around the CSEC within the boundaries of this Access Option. A wider access with more extensive earthworks would be required to allow for its use. Further detail on this is provided below.
- 1.2.10 The earthworks extend past the A64 boundary fence, onto the highway embankment, encroaching onto National Highways' operational land. In addition, the required earthworks for the access overlap with the area required for the CSEC earthworks and the existing telecoms compound. Figure 8 highlights the extensive works that would be necessary to construct an access suitable for the maximum legal length (UK) vehicle.

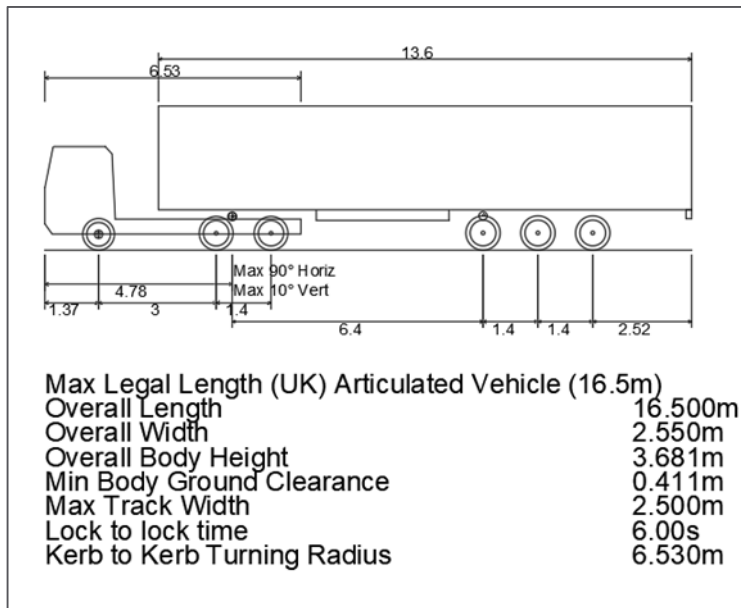


Figure 7: Details of the Max Legal Length (UK) assumed to complete swept path analysis

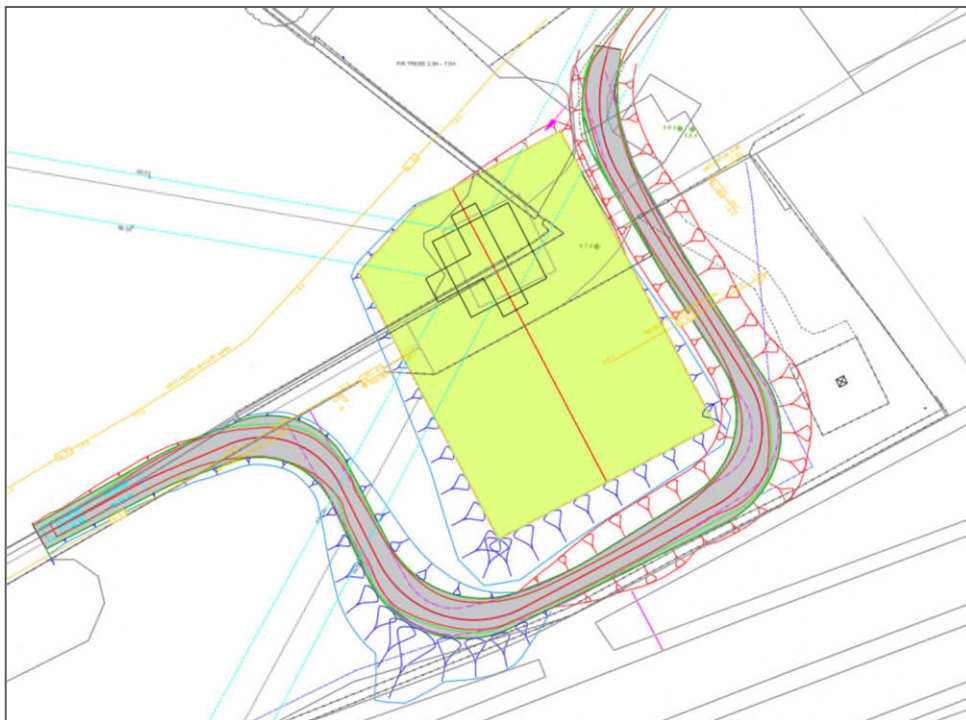


Figure 8: Earthworks required for Maximum Legal Length vehicle

1.2.11 There is an existing alternative northern access into the landholding for which the southern access would be severed. Figure 9 shows the proposed CSEC, the severed private right of way and the northern access to the landholding.



Figure 9: Northern Access Location

1.2.12 As part of the Project the existing northern access bellmouth would be upgraded, see Figure 10. The upgraded bellmouth is proposed to have 15m radii connecting to the A659 and the road widened to 7m for permanent access. Refer to **Document 5.3.3F ES Chapter 3 Appendix 3F - Construction Traffic Management Plan Annex 3F.A.4, Examination Library Reference [APP-099]** for further details on the proposed access bellmouth in this location.



Figure 10: Upgraded Northern Access Bellmouth

## 1.3 Key Issues

- 1.3.1 The Access Option that can accommodate all vehicles is not technically feasible as it encroaches substantially into the highway embankment and onto National Highways' operational land, and into the compound for the telecoms mast, as shown in figure 8 and Annex C.
- 1.3.2 As it is not feasible to provide an Access Option that has no restrictions for traffic, this section identifies the main issues and risks associated with the Access Option if it were designed to accommodate a tractor and trailer, and 7.5T rigid vehicle only. However, as explained above, it is considered that an Access Option to accommodate a tractor and trailer, and 7.5T rigid vehicle only would not be deliverable as it would not be possible to restrict the use of the Access Option to these vehicle types or enforce the prevention of larger vehicles using it throughout its lifetime and this would not meet the requirements of the existing easement which grants a right at all times and for all purposes. An access which would accommodate larger vehicles, as shown in Figure 8, presents similar issues and risks as those identified below, albeit on a larger scale.

### Gas main

- 1.3.3 An existing Northern Gas Networks (NGN) medium pressure gas main runs northeast to southwest through the CSEC platform and the Access Option. Figure 11 shows the existing gas main.



Figure 11: Existing Gas Main Interaction

- 1.3.4 A gas main diversion has been proposed by the gas supplier, Northern Gas Networks Limited. Figure 12 shows how the proposed NGN gas main diversion would be affected by the proposed Access Option. The gas main diversion would run for approximately 22.567m under the Access Option. A 6m easement corridor has been specified by Northern Gas Networks, this is shown in Annex A. The easement corridor would affect the Access Option for approximately 57.326m.

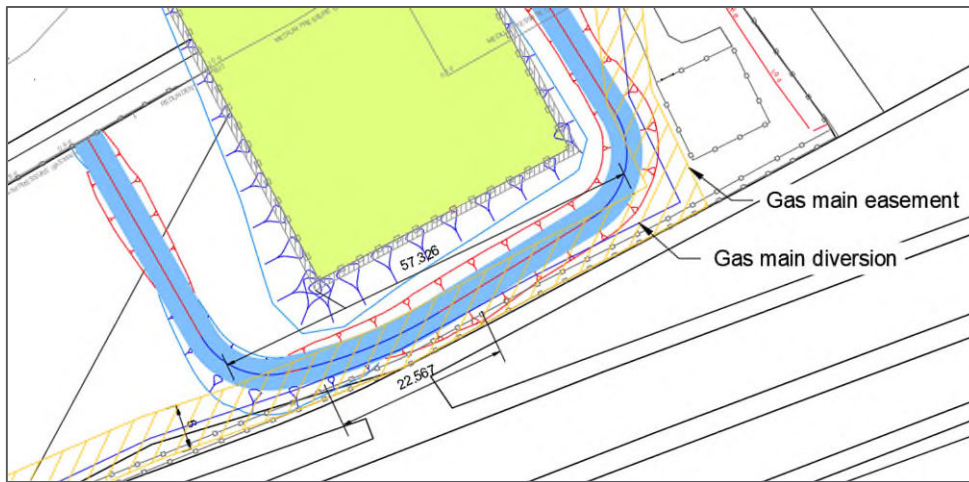


Figure 12: Gas main and Access Option

1.3.5 Northern Gas Networks Limited have stated the depth of the existing gas main is at 1.2m. Figure 13 shows a section through the Access Option and NGN gas main diversion south of the CSEC. The gas diversion is to be installed at 1.2m below the existing ground, as stipulated by Northern Gas Networks Limited. If the diverted access was included, with the anticipated earthworks associated with this, the gas main would be at a depth of 0.567m below the road formation level. This is significantly less than the required depth set by NGN and mitigation measures, if available, would need to be put in place for this to be acceptable. For example, encasement of the diverted gas pipe in reinforced concrete may be required. This would be subject to NGN approval as it would reduce, for example, accessibility to the gas pipe for maintenance purposes.

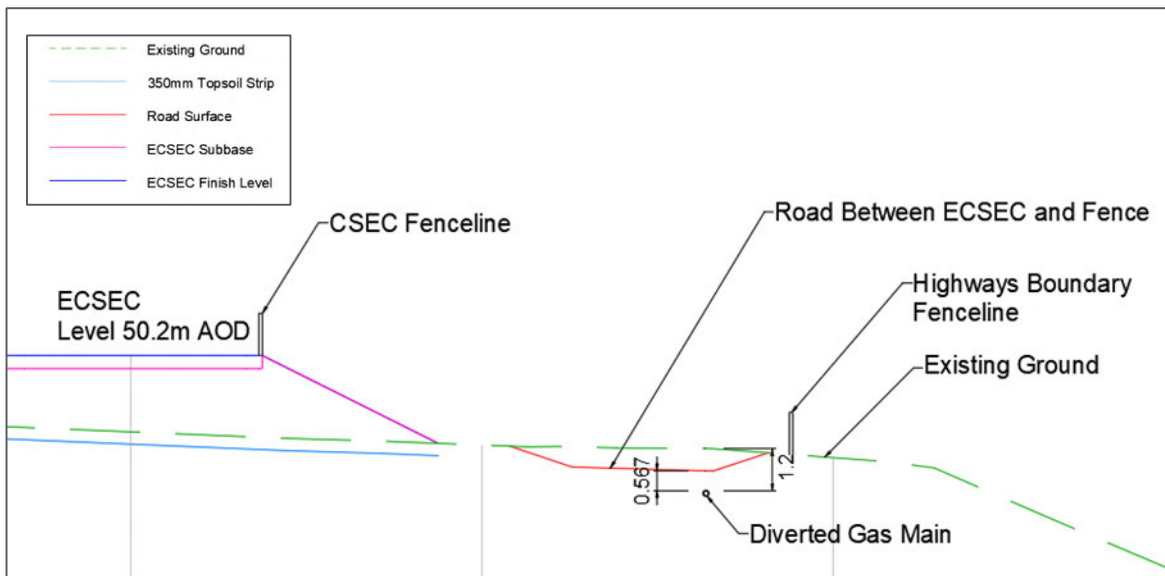


Figure 13: Gas main under the Access Option



## Telecoms mast

- 1.3.6 A telecoms mast and associated access track have recently been constructed to the southeast of the proposed Tadcaster East CSEC platform. The gate used to enter the telecoms access road is located approximately 4.25m from the proposed CSEC fence and would affect the potential width of the Access Option. Figure 14 shows the gate, the CSEC and the dimension between the two. The CSEC also has a 1m stone path around the perimeter. Due to this interaction, the telecoms access road and the Access Option would have to be shared to fit within the site constraints. This would need to be discussed with the telecoms asset owner and their approval would need to first be obtained.

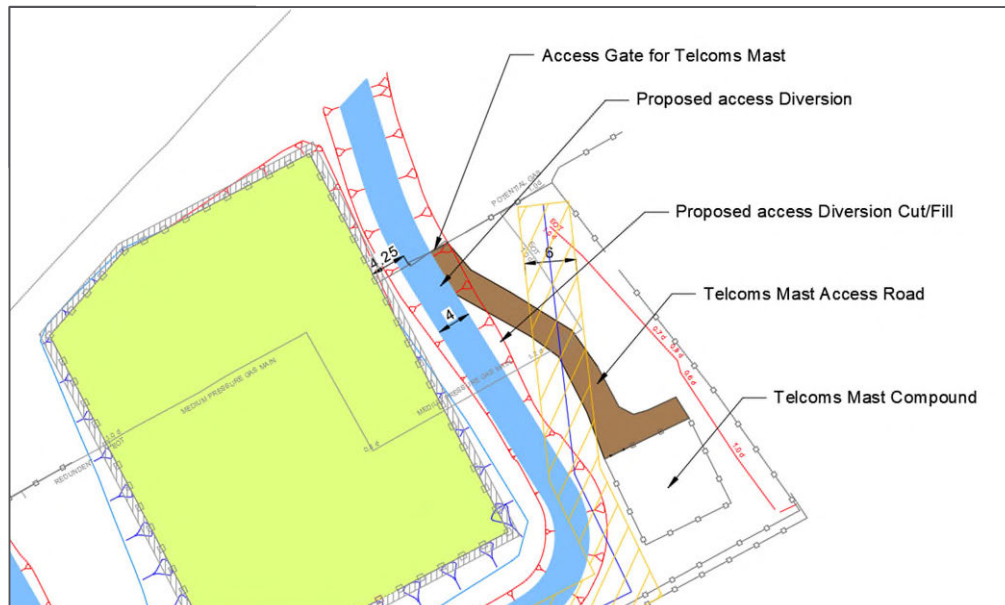


Figure 14: Telecommunications access road gate

## Sloping topography of existing site

- 1.3.7 To maintain an adequate alignment slope, the Access Option requires cut and fill earthworks. As the earthworks required for the Access Option give an overall net cut, the excess cut volumes would need to be stored or taken off site. To store the spoil on site would mean obtaining a suitable location to do so. Removing the spoil from site would result in increased vehicle movements and any contaminated soil would have to be dealt with appropriately.
- 1.3.8 The cut/ fill areas would also extend over the gas main diversion, meaning agreements would need to be sought with NGN. Due to the constrained site and the close proximity of the gas main, there are limited options to mitigate the potential risk of striking the gas main during construction.

## Proximity of A64 road and highways embankment

- 1.3.9 The area south of the CSEC is constrained by the highways boundary fence line, south of the required earthworks of the CSEC platform and the Access Option. This fence line demarcates the boundary to the embankment of the existing A64.
- 1.3.10 Due to the existing topography, sloping towards the highway embankment, any diversion will also slope in this direction. This results in the Access Option being in close

proximity to the highway embankment, raising issues with the operational safety of the proposal. These risks are outlined below:

- The Access Option requires vehicles to travel downhill, towards the A64 embankment, and turn just before the fence line. There is no existing barrier in place to stop a vehicle moving if unable to turn or stop adequately in time, risking the vehicle falling down the embankment and onto the A64;
- The wheel loading on the Access Option will apply additional surcharge to the top of the highways embankment. The stability of the highways embankment slope would need to be confirmed with National Highways due to this;
- The Access Option may also have an impact on surface water runoff to the A64; potentially diverting any runoff along its alignment and down the highway embankment; and
- As noted above, the earthworks required for the option for any road legal vehicle would extend past the A64 boundary fence, onto the highway embankment, encroaching onto National Highways' operational land (see Figure 9 above and Annex C).

1.3.11 Figure 15 shows the highways boundary fence to the south of the Access Option and the required earthworks embankments within the corridor (to accommodate a tractor and trailer, and 7.5T rigid vehicle only).

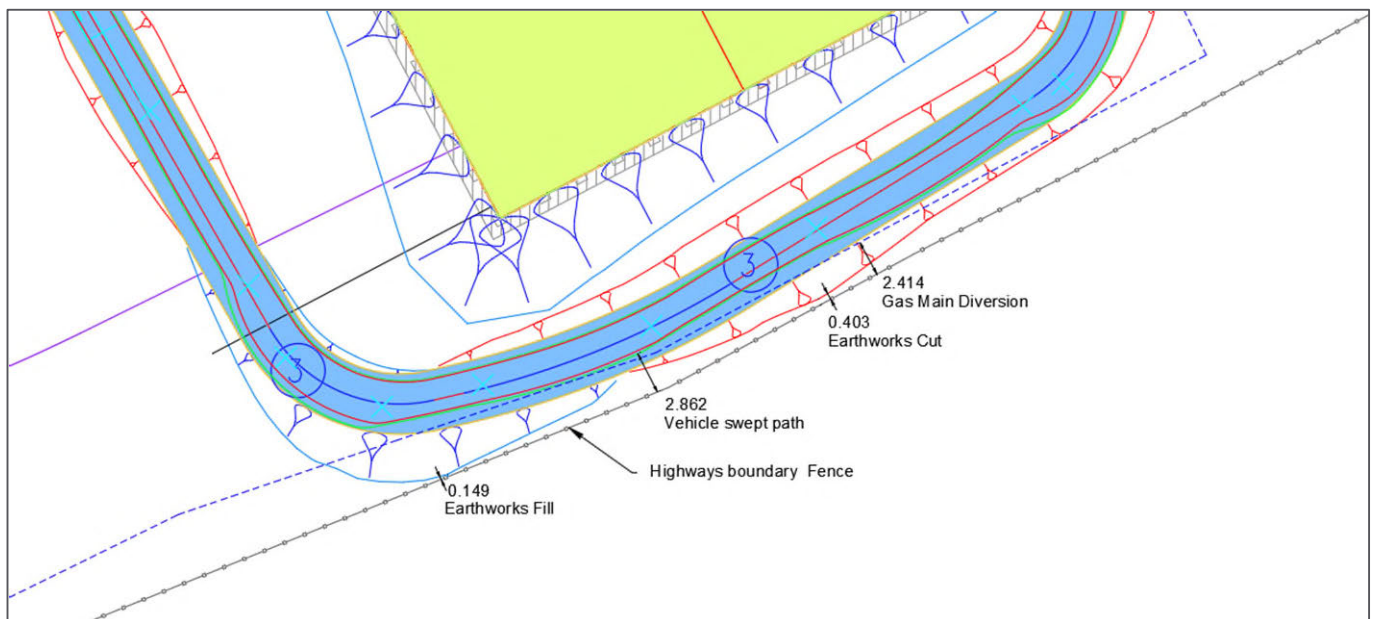


Figure 15: Highways Boundary Fence

## 1.4 Conclusion

1.4.1 In conclusion, it is not technically feasible to provide the Access Option that can accommodate all vehicles as it encroaches substantially into the highway embankment and onto National Highways operational land, and the Telecoms compound. National Grid consider it would also not be possible to restrict the use of the Access Option to accommodate a tractor and trailer, and 7.5T rigid vehicle only as the existing easement grants a right at all times and for all purposes and it would not be possible to restrict the

use of the Access Option to these vehicle types or enforce the prevention of larger vehicles using it throughout its lifetime.

- 1.4.2 In addition to this, there are multiple constraints on site that add to the complexity of providing the Access Option for agricultural and rigid 7.5t vehicles such that it is not considered feasible or proportionate.
- 1.4.3 A summary of the constraints in respect of the Access Option for agricultural and rigid 7.5t vehicles only is shown in Table 2.1. A summary is not provided for the larger vehicles as it is not considered technically feasible to provide for such an access.

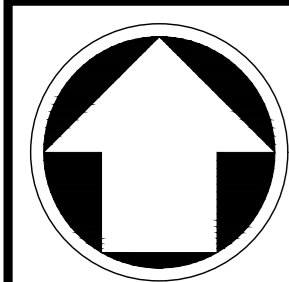
**Table 1.1– Summary of Constraints for Access Option (tractor and trailer and 7.5T rigid vehicle only)**

<b>Constraint</b>	<b>Description</b>
Potential encroachment on highways land	<p>The highways boundary fence for the A64 would be in close proximity to the proposed Access Option. The Access Option would direct vehicles towards the embankment of a busy A road. This gives rise to safety concerns over the proposal, with potential heavy vehicles driving downhill, towards a busy section of the Strategic Road Network.</p> <p>(As noted above, the earthworks required for the option for any road legal vehicle would extend past the A64 boundary fence, onto the highway embankment, encroaching onto National Highways’ operational land, see Figure 8 and Annex C).</p>
Gas Main Diversion	The proposed Access Option would affect the proposed NGN gas main diversion, giving rise to concerns over safety during construction and operation. The Access Option would need prior agreement from NGN.
Telecoms Mast	The proposed Access Option would affect the existing telecoms mast compound access road. This would require prior approval from the mast asset owner and an agreement over the use of the access. (The access for all vehicles would encroach into the Telecoms compound).
Sloping topography of existing site	The topography of the site would cause excess spoil. This would lead to an increase in spoil volume for disposal and an increase in vehicle movements associated with the Project.
Surface water runoff onto highway embankment	Surface water drainage of the catchment area may be diverted along the alignment of the proposed Access Option, potentially causing excess surface water runoff down the highway slope and onto the A64. A complex drainage design may be required to ensure the feasibility of the Access Option, and National Highways

	would need to be satisfied this could be achieved without adverse effects on the A64.
--	---

- 1.4.4 The constraints outlined above explain why a diversion for the existing right of access has not been proposed as part of the Application. The works and risks associated with the Access Option are disproportionate to the benefits it would provide. This is particularly the case given there is an alternative access to the required area, already existing in the northern field, with access off the A659. This access is also proposed to be upgraded as part of the Project, acting as a permanent access to the western CSEC in the area, which would also be suitable for field access to the west of the eastern CSEC.

# Annex A



For Permanent Access Details Refer to Drawing  
100102545-MMD-09-XX-DR-C-0245

For Overall Layout Refer to Drawing  
100102545-MMD-09-XX-DR-C-0131

Embankment slope at this location is proposed at a steeper angle between earthworks and fence line to south (4m minimum).  
Contractor is to propose a suitably designed solution to accommodate embankment or similar structure to allow for required space

Existing Medium Pressure Gas Main

ECSEC  
AREA 1850m<sup>2</sup>  
49.949m AOD

Telecoms Mast Access Road

Telecoms Mast

Proposed Gas Main Diversion  
Refer to Note 5

Highways Boundary Fence

Highways Embankment

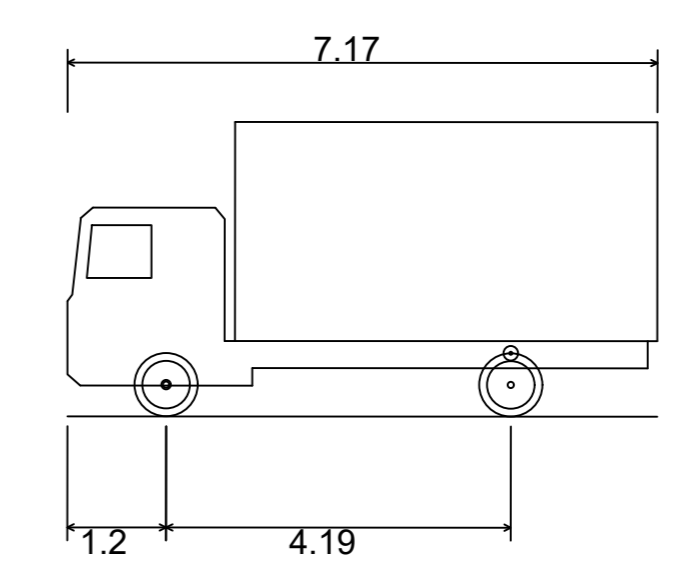
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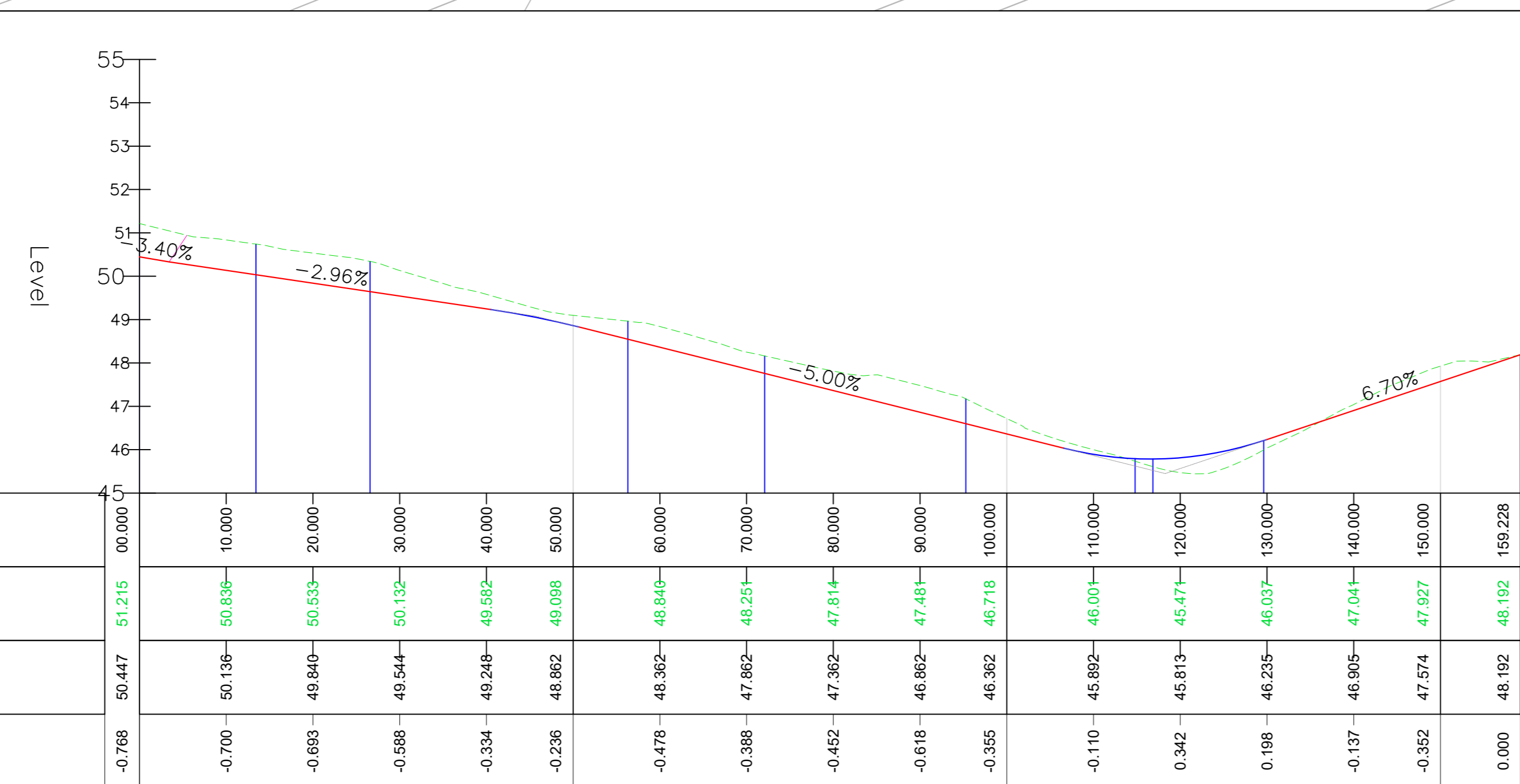
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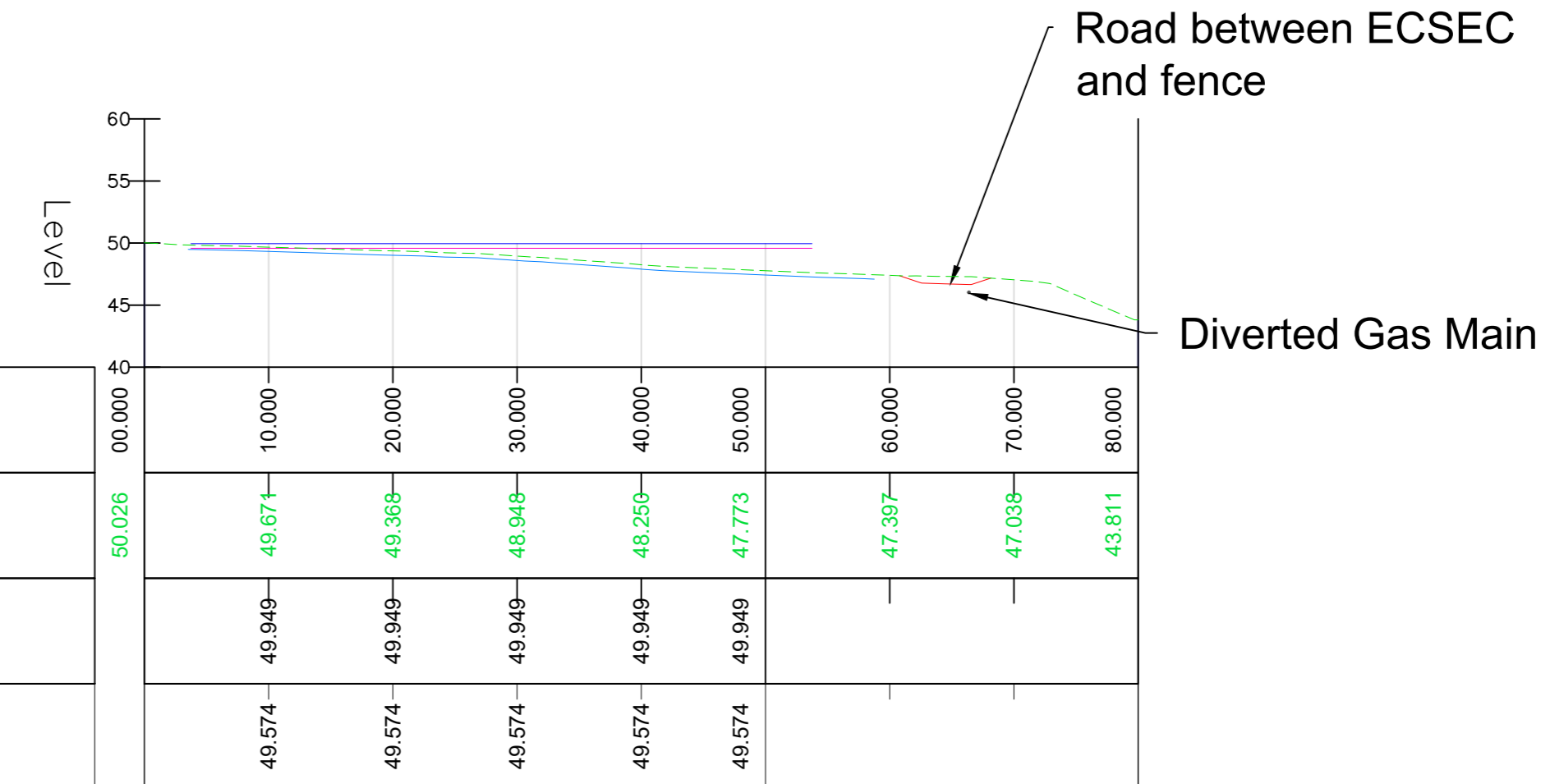
Plan View  
Scale 1:250



FTA Design 7.5 Tonne Rigid Vehicle (2016)  
Overall Length 7.170m  
Overall Width 2.300m  
Overall Body Height 3.580m  
Min Body Ground Clearance 0.375m  
Track Width 2.120m  
Lock to lock time 3.00s  
Kerb to Kerb Turning Radius 7.000m



ROAD ECSEC - LONGSECTION  
Scale 1:500



SECTION A - LONGSECTION  
Scale 1:500

- Notes
- This drawing is for development purposes only and should not be used for construction.
  - All dimensions are in millimeters unless otherwise stated.
  - Do not scale any items or information from this drawing.
  - The site is located at OS Grid Reference 446050, 441660 (easting, northing).
  - Gas main diversion required due to clash with CSEC. Diversion provided by Northern Gas Networks, refer the drawing R2/001934. A 6m easement has been provided. Please note, the location of the diversion was provided in pdf format only, therefore, the exact georeferenced location cannot be confirmed at this point. The location shown on this sketch should be taken as indicative only.
  - Telecoms and existing gas main locations shown using Utility Trace Survey, refer to drawing 06\_210116\_229

- Key to symbols
- Access Road
  - Permanent Access Road
  - Station
  - Earthworks - cut
  - Earthworks - fill
  - CSEC Stone Path
  - Fencing
  - Existing Gas Main
  - Gas Main Diversion
  - Gas Main Diversion Easement
  - Existing Ground
  - 350mm Topsoil Strip
  - Road Surface
  - ECSEC Subbase
  - ECSEC Finish Level

- Reference drawings
- 100102545-MMD-09-XX-DR-E-0168 - Overall Electrical Layout
  - 100102545-MMD-09-XX-DR-C-0131 - Overall Civil Layout
  - R2/001934 - Northern Gas Network Diversion

Rev	Date	Drawn	Description	Chk'd	App'd
03	01/02/2023	CJ	UPDATED FOLLOWING CLIENT COMMENTS	PM	JW
02	27/01/2023	CJ	SECOND ISSUE FOR TOPIC PAPER USE	PM	JW
01	20/05/2022	PS	FIRST ISSUE	PM	PM

Client

Master Scheme No: 33754 | Sub-Scheme No: TBC | Site: TEE-OFF TADCASTER

Document Title: YORKSHIRE GREEN

TADCASTER ECSEC ACCESS ROAD BETWEEN COMPOUND AND FENCE LINE SHEET 1 OF 3

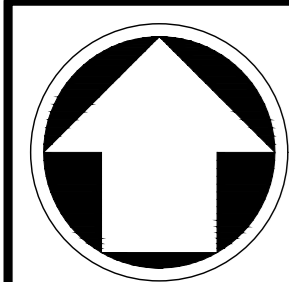
Created by: P. Skrzewski | Date: 20/05/2022 | Checked by: P. McLoughlin | Date: 20/05/2022 | Approved by: P. McLoughlin | Date: 20/05/2022

Development Eng: S. Fowler | Document Type: SKETCH | Scale: AS | Form: AO | Sheets: 1 | Rev: 03

National Grid Document Number: -

FEED Document Number: 100102545-MMD-09-XX-SK-C-0001-01

# Annex B



For Permanent Access Details Refer to Drawing 100102545-MMD-09-XX-DR-C-0245

For Overall Layout Refer to Drawing 100102545-MMD-09-XX-DR-C-0131

Embankment slope at this location is proposed at a steeper angle between earthworks and fence line to south (4m minimum). Contractor is to propose a suitably designed solution to accommodate embankment or similar structure to allow for required space

Existing Medium Pressure Gas Main

Swept Path models shows tractor trailer wheel alignment to require further width of road at the inner radius of the bend. Refer to note 7.

ECSEC AREA 1850m<sup>2</sup>  
49.949m AOD

Telecoms Mast Access Road

Telecoms Mast

Swept Path models shows tractor trailer wheel alignment to require further width of road at the inner radius of the bend. Refer to note 7.

Proposed Gas Main Diversion Refer to Note 5

Highways Boundary Fence

Highways Embankment

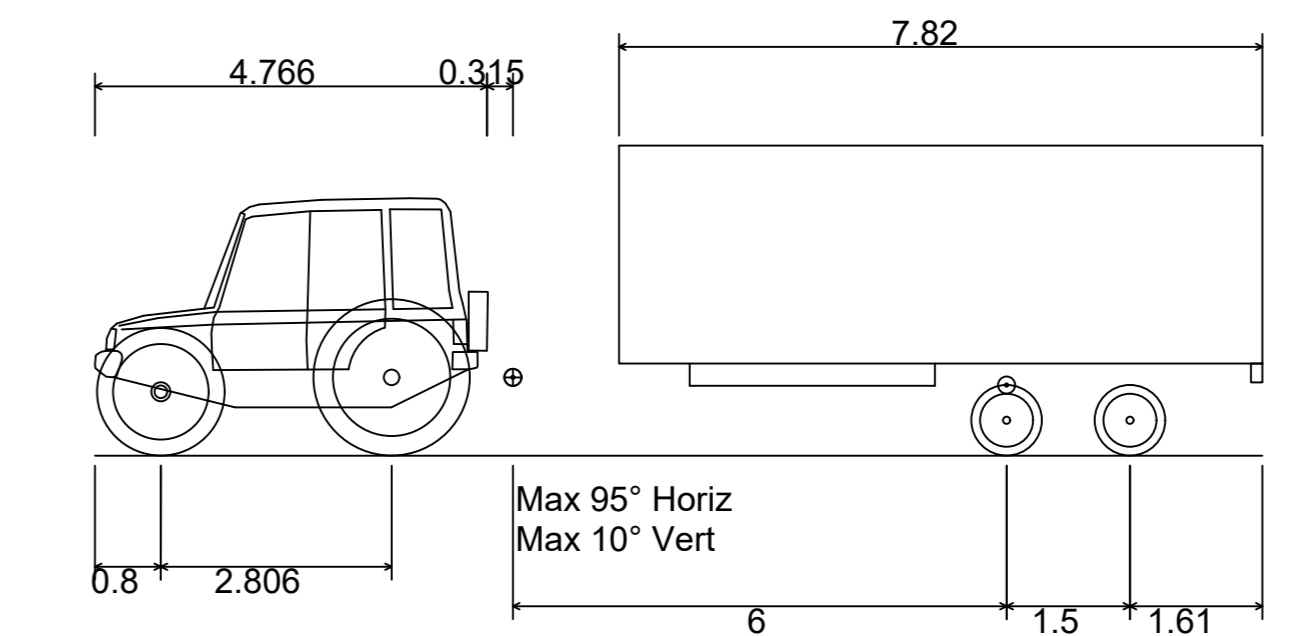
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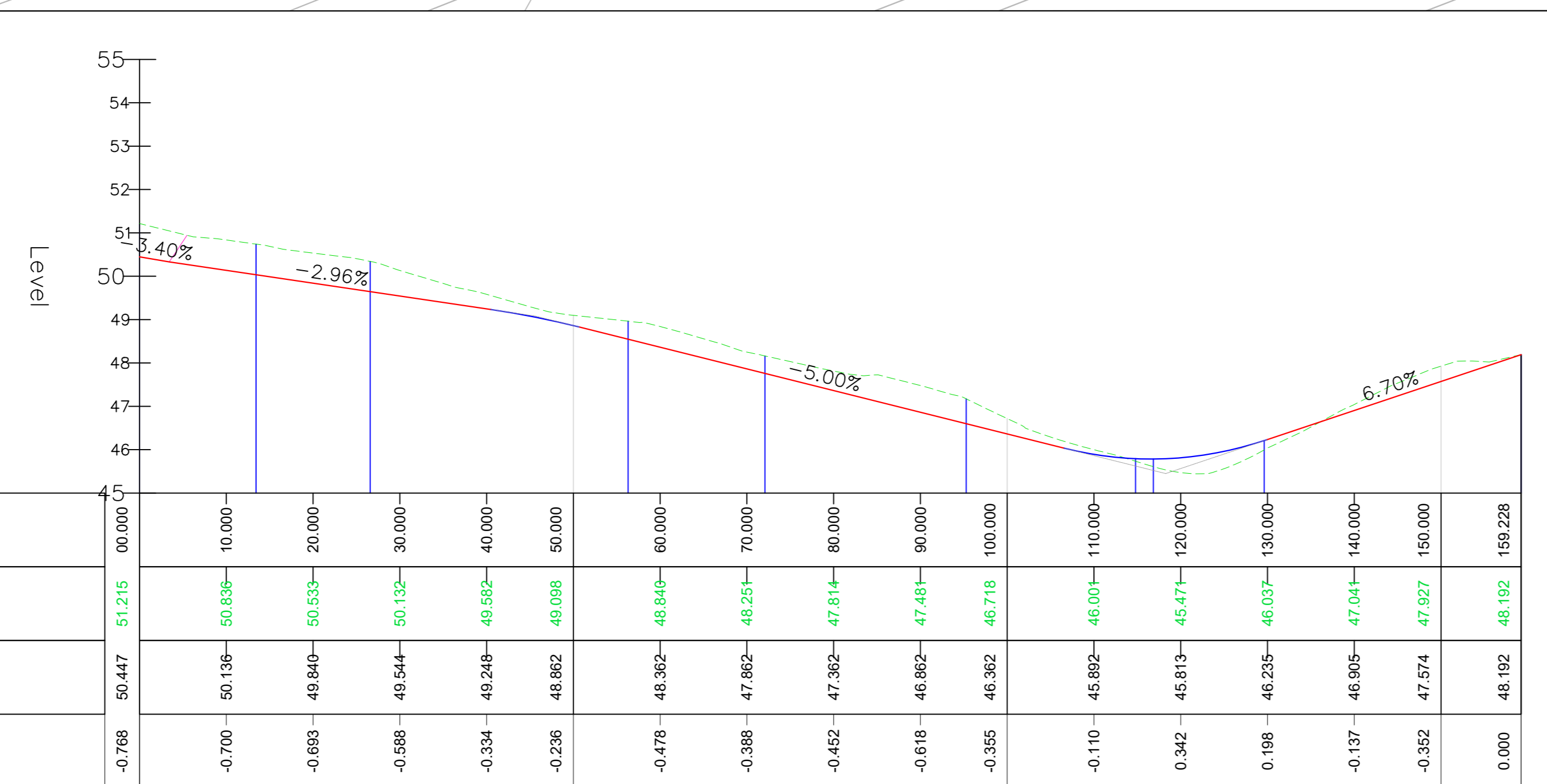
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Plan View  
Scale 1:250

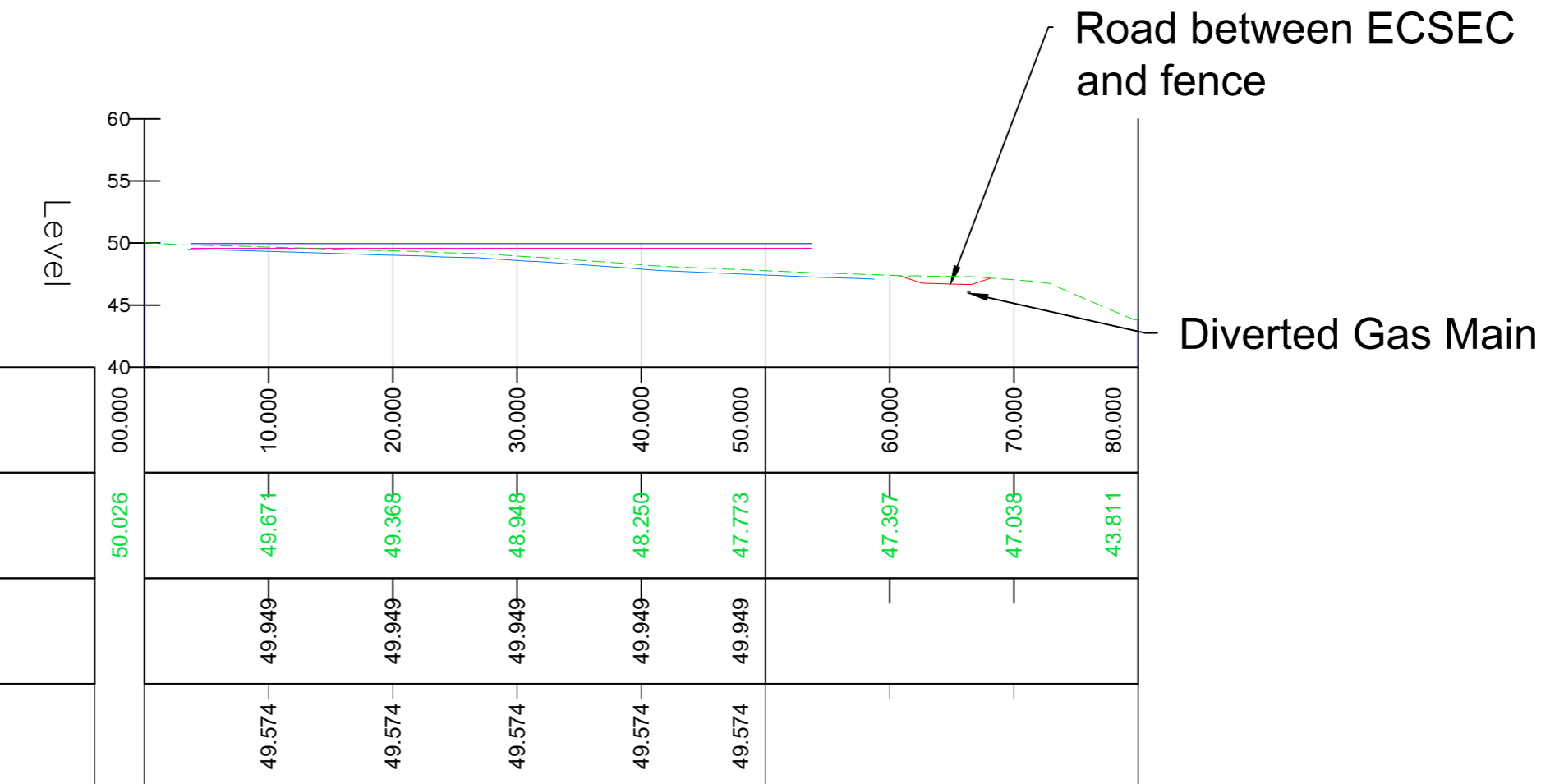


Case IH CVX 195 Tractor+Trailer  
Overall Length 14.191m  
Overall Width 2.550m  
Overall Body Height 3.770m  
Min Body Ground Clearance 0.588m  
Max Track Width 2.520m  
Lock to lock time 6.00s  
Kerb to Kerb Turning Radius 5.400m



Chainage	00.000	10.000	20.000	30.000	40.000	50.000	60.000	70.000	80.000	90.000	100.000	110.000	120.000	130.000	140.000	150.000	159.228
Existing Levels	51.215	50.835	50.533	50.123	49.582	48.928	48.849	48.235	47.814	47.289	46.718	46.001	45.471	46.037	47.041	47.927	48.192
Proposed Levels	50.447	50.136	49.849	49.544	49.248	48.862	48.302	47.862	47.362	46.862	46.302	45.692	45.813	46.235	47.041	47.574	48.192
Level Difference	-0.768	-0.700	-0.686	-0.588	-0.334	-0.236	-0.478	-0.368	-0.452	-0.618	-0.395	-0.309	0.342	0.198	-0.137	-0.352	0.000

ROAD ECSEC - LONGSECTION  
Scale 1:500



Chainage	00.000	10.000	20.000	30.000	40.000	50.000	60.000	70.000	80.000
Existing Levels	50.026	49.671	49.309	48.948	48.250	47.773	47.397	47.038	46.911
Proposed Levels	49.574	49.249	48.949	48.649	48.250	47.773	47.397	47.038	46.911
Formation Levels	49.574	49.574	49.574	49.574	49.574	49.574	49.574	49.574	49.574

SECTION A - LONGSECTION  
Scale 1:500

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  - Gas main diversion required due to clash with CSEC. Diversion provided by Northern Gas Networks, refer the drawing R2/001934. A 6m easement has been provided. Please note, the location of the diversion was provided in pdf format only, therefore, the exact georeferenced location cannot be confirmed at this point. The location shown on this sketch should be taken as indicative only.
  - Telecoms and existing gas main locations shown using Utility Trace Survey, refer to drawing 06\_210116\_229.
  - Although not shown on the alignment, the inner radius of the bend will require additional civil works and road surfacing to ensure feasibility and reduce risk of clash with CSEC earthworks embankments. As this is on the northern side, it is less constrained than the southern side of the road, however additional works are still necessary to ensure feasibility of the road to accommodate a tractor trailer vehicle.

- Key to symbols
- Access Road
  - Permanent Access Road
  - Station
  - Earthworks - cut
  - Earthworks - fill
  - CSEC Stone Path
  - Fencing
  - Existing Gas Main
  - Gas Main Diversion
  - Gas Main Diversion Easement
  - Existing Ground
  - 350mm Topsoil Strip
  - Road Surface
  - ECSEC Subbase
  - ECSEC Finish Level

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  - 100102545-MMD-09-XX-DR-C-0131 - Overall Civil Layout
  - R2/001934 - Northern Gas Network Diversion

Rev	Date	Drawn	Description	Ch'gd	App'd
01					

Client



Master Scheme No: 33754  
Sub-Scheme No: TBC  
Site: TEE-OFF TADCASTER

Document Title: YORKSHIRE GREEN

TADCASTER ECSEC ACCESS ROAD BETWEEN COMPOUND AND FENCE LINE SHEET 2 OF 3

Created by: Date: Checked by: Date: Approved by: Date:

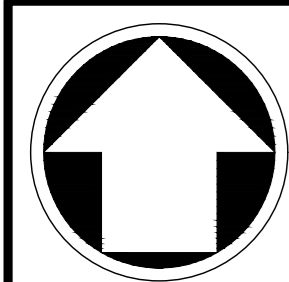
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National Grid Document Number: -

FEED Document Number: 100102545-MMD-09-XX-SK-C-0001-02



# Annex C



For Permanent Access Details Refer to Drawing  
100102545-MMD-09-XX-DR-C-0245

For Overall Layout Refer to Drawing  
100102545-MMD-09-XX-DR-C-0131

Embankment slope at this location is proposed at a steeper angle between earthworks and fence line to south (4m minimum).  
Contractor is to propose a suitably designed solution to accommodate embankment or similar structure to allow for required space

Existing Medium Pressure Gas Main

The required earthworks extend past the A64  
boundary fence, onto the highway embankment

The required earthworks extend past the A64  
boundary fence, onto the highway embankment

ECSEC  
AREA 1850m<sup>2</sup>  
49.949m AOD

Telecoms Mast Access Road

Telecoms Mast

Proposed Gas Main Diversion  
Refer to Note 5

Highways Boundary Fence

Highways Embankment

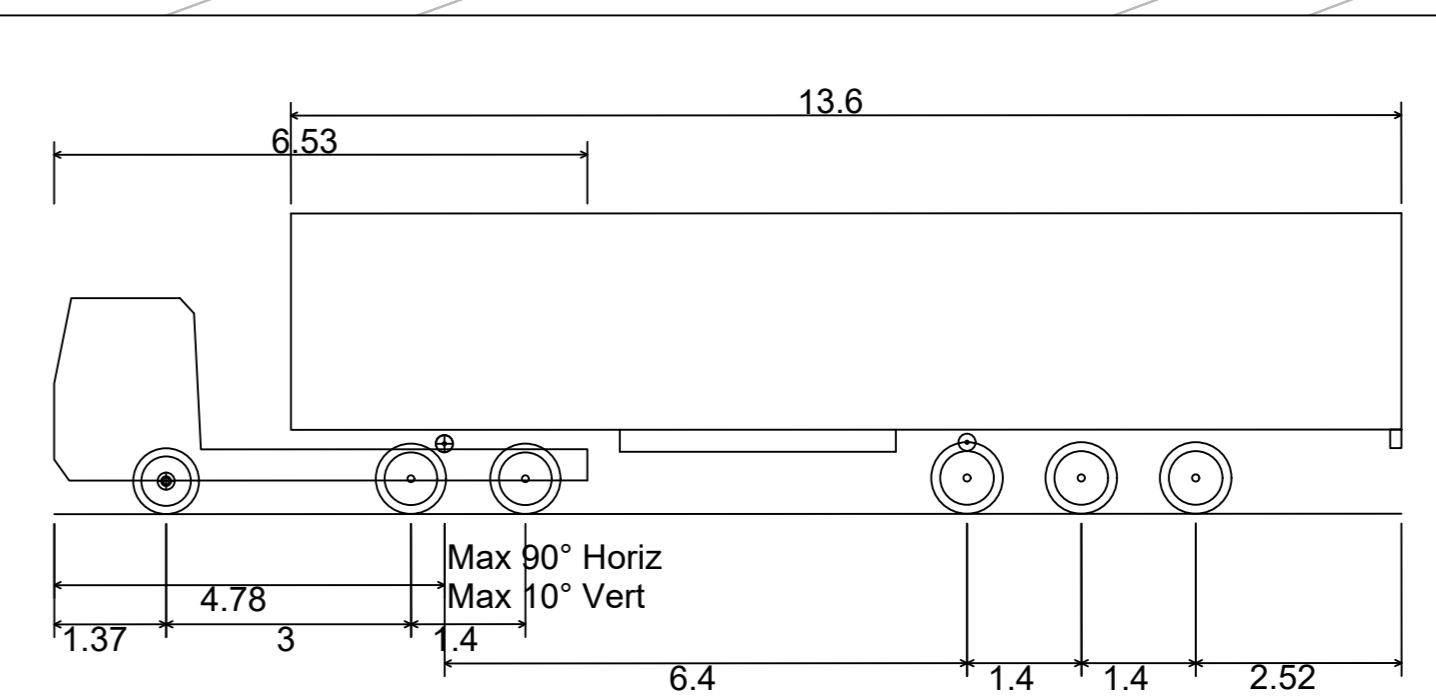
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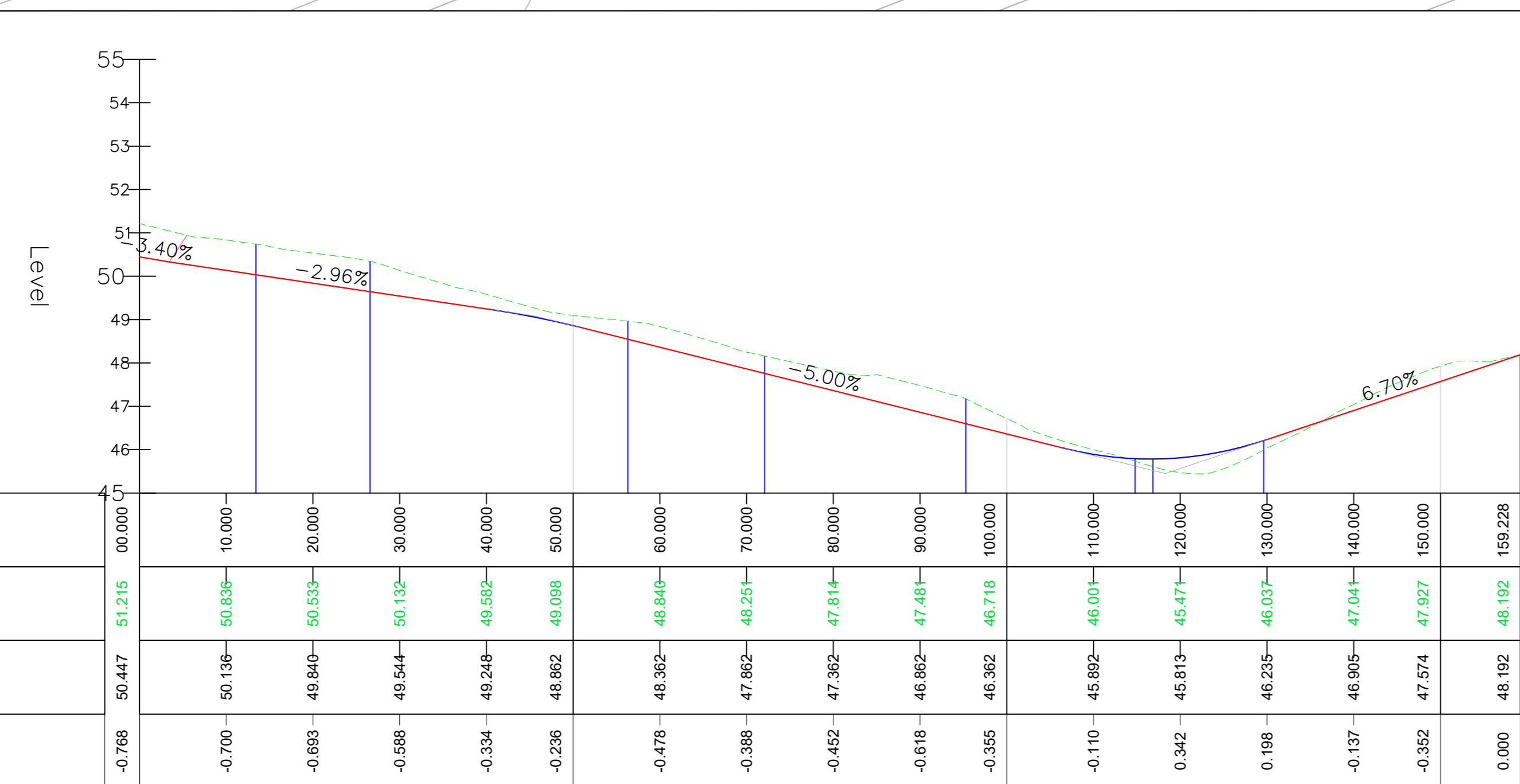
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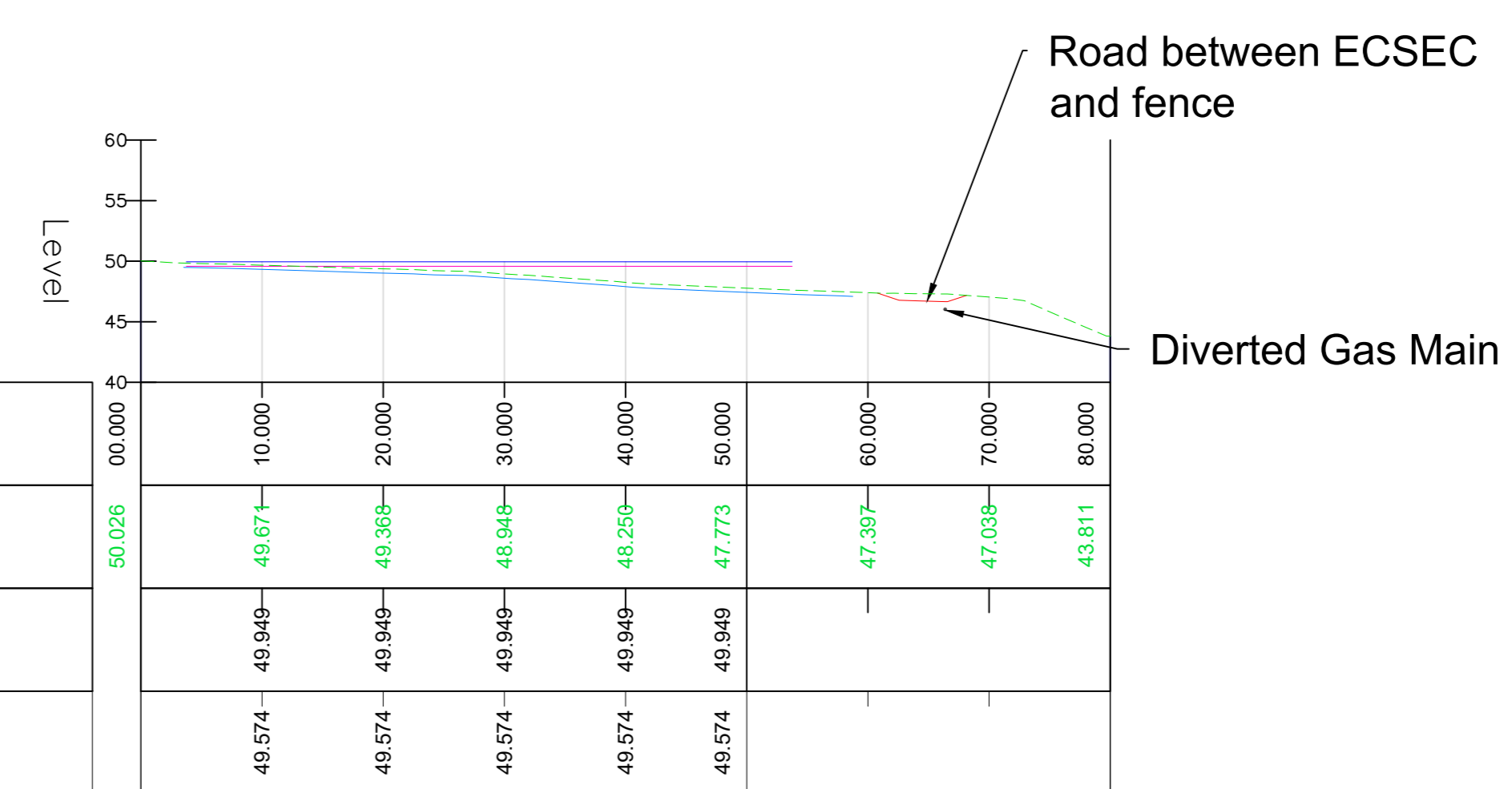
Plan View  
Scale 1:250



Max Legal Length (UK) Articulated Vehicle (16.5m) 16.500m  
Overall Length 2.550m  
Overall Width 3.681m  
Overall Body Height 0.411m  
Min Body Ground Clearance 2.500m  
Max Track Width 6.00s  
Lock to lock time 6.530m



ROAD ECSEC - LONGSECTION  
Scale 1:500



SECTION A - LONGSECTION  
Scale 1:500

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Key to symbols

- Access Road
- Permanent Access Road
- Station
- Earthworks - cut
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- Gas Main Diversion Easement
- Existing Ground
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  - R2/001934 - Northern Gas Network Diversion

Rev	Date	Drawn	Description	Ch'kd	App'd
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Client

Master Scheme No: 33754 | Sub-Scheme No: TBC | Site: TEE-OFF TADCASTER

Scheme Name: YORKSHIRE GREEN

Document Title: TADCASTER ECSEC ACCESS ROAD BETWEEN COMPOUND AND FENCE LINE SHEET 3 OF 3

Created by: | Date: | Checked by: | Date: | Approved by: | Date: |

Development Eng: | Scale: AS | Document Type: SKETCH | Format: A0 | Sheet(s): 1 | Rev: 01

National Grid Document Number: -

FEED Document Number: 100102545-MMD-09-XX-SK-C-0001-03

National Grid plc  
National Grid House,  
Warwick Technology Park,  
Gallows Hill, Warwick.  
CV34 6DA United Kingdom

Registered in England and Wales  
No. 4031152

# **Appendix J      Local Acts and Byelaws to be disapplied under the Yorkshire GREEN DCO**

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**LOCAL ACTS AND BYELAWS TO BE DISAPPLIED UNDER THE YORKSHIRE  
GREEN DCO**

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# West Yorkshire Act 1980

## 1980 CHAPTER XIV

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An Act to re-enact with amendments and to extend certain local enactments in force within the metropolitan county of West Yorkshire; to confer further powers on the West Yorkshire Metropolitan County Council, the City of Bradford Metropolitan Council, the Borough Council of Calderdale, the Council of the Borough of Kirklees, the Leeds City Council and the Council of the City of Wakefield; to make further provision with regard to the environment, local government and improvement of the county; and for other purposes.

[1st May 1980]

WHEREAS by virtue of the Local Government Act 1972 (hereinafter referred to as “the Act of 1972”) the metropolitan county of West Yorkshire (hereinafter referred to as “the county”) was constituted on 1st April 1974 so as to consist of an area comprising the following districts described by reference to administrative areas existing immediately before the passing of the Act of 1972:—

The city of Bradford—

The county borough of Bradford:

In the administrative county of Yorkshire, West Riding—

the borough of Keighley;

the urban districts of Baildon, Bingley, Denholme, Ilkley, Shipley and Silsden;

the urban district of Queensbury and Shelf, except the wards of Shelf East and Shelf West:

in the rural district of Skipton, the parishes of Addingham, Kildwick and Steeton with Eastburn;

The city of Leeds—

The county borough of Leeds;

In the administrative county of Yorkshire, West Riding—

the boroughs of Morley and Pudsey;

the urban districts of Aireborough, Garforth, Horsforth, Otley and Rothwell;

in the rural district of Tadcaster, the parishes of Aberford, Austhorpe, Barwick in Elmet and Scholes, Great and Little Preston, Ledsham, Ledston, Lotherton cum Aberford, Micklefield, Parlington, Sturton Grange and Swillington;

in the rural district of Wetherby, the parishes of Bardsey cum Rigton, Boston Spa, Bramham cum Oglethorpe, Clifford, Collingham, East Keswick, Harewood, Scarcroft, Thorner, Thorp Arch, Walton, Wetherby and Wothersome;

in the rural district of Wharfedale, the parishes of Arthington, Bramhope, Carlton and Pool;

The metropolitan borough of Calderdale—

The county borough of Halifax;

In the administrative county of Yorkshire, West Riding—

the boroughs of Brighouse and Todmorden;

the urban districts of Elland, Hebden Royd, Ripponden and Sowerby Bridge;

in the urban district of Queensbury and Shelf, the wards of Shelf East and Shelf West;

the rural district of Hepton;

The metropolitan borough of Kirklees—

The county boroughs of Dewsbury and Huddersfield;

In the administrative county of Yorkshire, West Riding—

the boroughs of Batley and Spenborough;

the urban districts of Colne Valley, Denby Dale, Heckmondwike, Holmfirth, Kirkburton, Meltham and Mirfield;

The city of Wakefield—

The county borough of Wakefield;

In the administrative county of Yorkshire, West Riding—

the boroughs of Castleford, Ossett and Pontefract;

the urban districts of Featherstone, Hemsworth, Horbury, Knottingley, Normanton and Stanley;

the rural district of Wakefield;

the rural district of Hemsworth, except the parishes of Billingley, Brierley, Great Houghton, Kirk Smeaton, Little Houghton, Little Smeaton, Shafton and Walden Stubbs;

in the rural district of Osgoldcross, the parishes of Darrington and East Hardwick:

And whereas numerous local enactments were in force in parts of the said area and by section 262 of the Act of 1972 it was provided that, subject to certain modifications, certain local statutory provisions should continue to apply to the area, things or persons to which or to whom they applied before 1st April 1974:

And whereas it was further provided by the said section 262 that certain local statutory provisions should cease to have effect at the end of 1979:

And whereas it is expedient that certain of the said enactments should be re-enacted with amendments and applied to the whole of the county:

And whereas it is expedient at the same time to extend and enlarge in various respects the powers of the West Yorkshire Metropolitan County Council, the City of Bradford Metropolitan Council, the Borough Council of Calderdale, the Council of the Borough of Kirklees, the Leeds City Council and the Council of the City of Wakefield:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of section 239 of the Act of 1972 have been observed:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

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**Extent**

Preamble: England

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## PART I

### PRELIMINARY

✔ Law In Force

**1.— Citation and commencement.**

(1) This Act may be cited as the West Yorkshire Act 1980.

(2) This Act shall come into operation on 1st October 1980.

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**Commencement**

Pt I s. 1(1)-(2): October 1, 1980

**Extent**

Pt I s. 1(1)-(2): England

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✔ Law In Force

**2.— Interpretation.**

(1) In this Act, unless the context otherwise requires—

“the Act of 1890” means the Public Health Acts Amendment Act 1890;

“the Act of 1936” means the Public Health Act 1936;

“the Act of 1955” means the Food and Drugs Act 1955;

“the Act of 1959” means the Highways Act 1959;

“the Act of 1961” means the Public Health Act 1961;

“the Act of 1964” means the Licensing Act 1964;

“the Act of 1967” means the Road Traffic Regulation Act 1967;



“the Act of 1971” means the Town and Country Planning Act 1971;  
 “the Act of 1972” means the Local Government Act 1972;  
 “the Act of 1976” means the Local Government (Miscellaneous Provisions) Act 1976;  
 “the appointed day” has the meaning given by section 3 of this Act;  
 “the Bradford council” means the City of Bradford Metropolitan Council;  
 “burial authority” means a district council, a parish council, the parish meeting of a parish having no parish council, whether separate or common, or a joint board established under section 6 of the Act of 1936;  
 “burial ground” has the same meaning as in the Open Spaces Act 1906;  
 “the Calderdale council” means the Borough Council of Calderdale;  
 “contravention” includes a failure to comply, and “contravene” shall be construed accordingly;  
 “the county” means the metropolitan county of West Yorkshire;  
 “the county council” means the county council of the county;  
 “daily fine” means a fine for each day on which an offence is continued after conviction thereof;  
 “district” means a district in the county;  
 “district council” means the council of a district;  
 “the electricity board” means the Yorkshire Electricity Board;  
 “enactment” includes an enactment in any Act, including this Act, and in any order, byelaw, scheme or regulation for the time being in force within the county;  
 “the executive” means the West Yorkshire Passenger Transport Executive;  
 [...]¹  
 “the gas corporation” means the British Gas Corporation;  
 “the generating board” means the Central Electricity Generating Board;  
 “industrial building” has the meaning given by section 66 of the Act of 1971 and “industrial undertaking” has a corresponding meaning;  
 “the Kirklees council” means the Council of the Borough of Kirklees;  
 “the Leeds council” means the Leeds City Council;  
 “local authority” means, except in Part XIII, the county council or a district council;  
 “officer” includes servant;  
 “owner” has the meaning given by section 343 of the Act of 1936;  
 “premises” includes messuages, buildings, easements and hereditaments of any tenure;  
 “statutory undertakers” means the electricity board, the gas corporation, the generating board, the water authority and the Post Office, or any of them, as the case may be;  
 “street” has the meaning given by section 295 of the Act of 1959;  
 “the water authority” means the North West Water Authority and the Yorkshire Water Authority or either of those authorities.

(2) Any reference in this Act to a proper officer shall, in relation to any purpose and any local authority or area, be construed as a reference to an officer appointed for that purpose by that authority or for that area, as the case may be.

(3) Any reference in this Act to a Part not otherwise identified is a reference to that Part of this Act.

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#### Notes

<sup>1</sup> Definition repealed by Local Government Reorganisation (Miscellaneous Provision) (No. 4) Order 1986/452 Sch. 1 para.10 (April 1, 1986)


**Commencement**

Pt I s. 2(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt I s. 2-(3): England

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 Law In Force

**3.— Appointed day.**

(1) In this Act “the appointed day”, in relation to any provision, means such day (not earlier than 1st October 1980) as may be fixed for the purposes of that provision in accordance with subsection (2) below by resolution of the county council or, as the case may be, the district council.

(2) The local authority shall publish in a newspaper circulating in their area notice—  
(a) of the passing of any such resolution and of the day fixed thereby; and  
(b) of the general effect of the provision for the purposes of which the day has been fixed; and the day so fixed shall not be earlier than the expiration of one month from the date of the publication of the notice.

(3) A photostatic or other reproduction certified by the proper officer to be a true reproduction of a page, or part of a page, of any newspaper being a page or part bearing the date of its publication and containing the notice mentioned in subsection (2) above shall be evidence of the publication of the notice and of the date of publication.

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**Commencement**

Pt I s. 3(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt I s. 3-(3): England

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**PART II****LANDS, DEVELOPMENT AND BUILDINGS**

 Repealed

**4. [...]<sup>1</sup>****Notes**

<sup>1</sup> Repealed by West Yorkshire Act 1980 c. xiv Pt II s.8 (December 31, 1986: commenced by an amendment)

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 Repealed

## 5.— [...]¹

### Notes

¹ Repealed by West Yorkshire Act 1980 c. xiv Pt II s.8 (December 31, 1986: commenced by an amendment)

 Repealed

## 6.— [...]¹

### Notes


¹ Repealed by West Yorkshire Act 1980 c. xiv Pt II s.8 (December 31, 1986: commenced by an amendment)

 Repealed

## 7. [...]¹

### Notes

¹ Repealed by West Yorkshire Act 1980 c. xiv Pt II s.8 (December 31, 1986: commenced by an amendment)

 Law In Force

## 8. Duration of certain provisions.

The foregoing provisions of this Part shall cease to have effect at the end of [ 1986 ]¹ .

### Notes

¹ Word substituted by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Pt XII s.46(2)(g) (June 1, 1991: represents law in force as at date shown)

### Commencement

Pt II s. 8: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Pt II s. 8: England

 Law In Force

## 9.— Culverting streams before development.

(1) Where plans of any proposed work are in accordance with building regulations deposited with a district council, the district council if they consider that any watercourse or ditch whether on the land on which the proposed works are to be carried out or any land abutting on the same should be wholly or partially filled up or covered over or piped or culverted may, as a condition of passing

the plans, require that before any works are commenced any such watercourse or ditch shall be wholly or partially filled up or covered up or piped or culverted with all necessary gullies and other means of conveying surface-water into and through it.

(2) Section 64 (2) and section 65 (2) to (5) of the Act of 1936 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the Act of 1936.

(3)

(a) Any person by whom or on whose behalf plans of any proposed work were deposited with the district council who is aggrieved by the action of the district council in imposing a requirement under subsection (1) above may appeal to the Secretary of State.

(b) Section 69 of the Health and Safety at Work etc. Act 1974 (appeals to Secretary of State) shall apply to an appeal under this subsection as if it were such an appeal as is mentioned in subsection (1) of that section:

Provided that this paragraph shall not have effect until rules of court relating to any such proceedings as are mentioned in subsection (5) of the said section 69 are in operation.

(4) Nothing in this section shall empower a district council to require the execution of works upon the land of any person other than the owner of the land upon which the proposed works are to be carried out without the consent of that person or prejudicially to affect the rights of any person not being the owner of the land upon which the proposed works are to be carried out.

(5)

(a) The powers conferred by subsection (1) above shall not be exercised with respect to any watercourse or ditch except with the consent of, and in accordance with any reasonable conditions imposed by, the water authority.

(b) Before giving any consent or imposing any condition under paragraph (a) above with respect to any watercourse or ditch under the control of an internal drainage board, the water authority shall consult the internal drainage board.

(c) A consent required under paragraph (a) above shall not be unreasonably withheld and shall, if neither given nor refused within four weeks after application for it is made, be deemed to have been given.

(d) Any question arising under this subsection whether the consent of the water authority is unreasonably withheld or whether any condition imposed by the water authority is reasonable shall be referred to a single arbitrator to be agreed between the district council and the water authority or, failing such agreement, to be appointed by the President of the Institution of Civil Engineers on the application of either party after giving notice to the other.

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**Commencement**

Pt II s. 9(1)-(5)(d): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt II s. 9-(5)(d): England

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 Repealed

## 10. [...] <sup>1</sup>

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### Notes

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(X) para.1 (July 13, 1982)

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## PART III

### HIGHWAYS AND STREETS

 Law In Force

#### 11.— Recovery of street works charges where owner unknown.

(1) Where any street works in the county have been completed but the street works authority are unable to recover the amount due in respect of the expenses of such works from the owner of any premises or otherwise under Part IX of the Act of 1959 (making up of private streets) or any local enactment by reason of the fact that such owner is unknown and cannot after diligent inquiry made when the said amount becomes due and at reasonable intervals thereafter be found, the street works authority may, at any time after the expiration of twelve years from the date when the said amount becomes due, apply to the county court and that court may, on being satisfied that the provisions of this subsection have been complied with, make an order vesting the said premises in the street works authority absolutely, and thereupon the street works authority may appropriate the said premises subject to and in accordance with the provisions of section 122 of the Act of 1972 as if the said premises were land which was not required for the purpose for which it was held immediately before the appropriation.

(2) Where the county court makes an order under subsection (1) above, the Lands Tribunal shall, for the purpose of determining the value of the said premises, nominate one of their members selected in accordance with section 1 (6) of the Lands Tribunal Act 1949, and the member nominated shall determine the same accordingly and shall annex to his valuation a declaration in writing subscribed by him of the correctness thereof and the street works authority shall pay into court a sum equal to the amount of such valuation after deduction of the amount due as aforesaid with interest thereon for a period of six years at the rate chargeable in respect of the said amount together with all costs and expenses reasonably incurred by the street works authority.

(3) Any payment into court under subsection (2) above shall be made in accordance with section 25 of the Compulsory Purchase Act 1965 and section 9 (5) of that Act shall apply to any such payment into court.

(4) The powers conferred by subsection (1) above shall be exercisable by the street works authority in addition to any existing rights, powers and remedies for the recovery of expenses and shall be exercisable by the street works authority in respect of all street works, whether completed before or after the commencement of this Act.

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**Commencement**

Pt III s. 11(1)-(4): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt III s. 11-(4): England

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 Law In Force

**12. Public seats in streets, etc.**

The county council or any person with the consent of the highway authority and subject to such conditions as the highway authority impose may in proper and convenient situations in any street in the county or the roadside waste thereof or on any land abutting on any such street provide seats for the use of the public:

Provided that—

- (a) no seat shall be provided on any land or premises not forming part of a street, or in a position obstructing or interfering with any existing access to any such land or premises, except with the consent of the owner and the occupier of the land or premises; and
- (b) nothing in this section shall relieve the county council or any person acting with the consent of the highway authority from liability for damage caused by them or him to any apparatus belonging to or maintained or used by any statutory undertakers in the exercise of the powers of this section, and those powers shall be so exercised as not to obstruct or render less convenient, so far as is reasonably practicable, the access to any such apparatus.

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**Commencement**

Pt III s. 12 Proviso. 002- Proviso. 002(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt III s. 12- Proviso. 002(b): England

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 Repealed

**13.— [...]¹**

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**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(VI) para.1 (July 13, 1982)

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 Repealed

**14.— [...]¹**

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**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(VI) para.1 (July 13, 1982)

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**PART IV**  
**BURIAL GROUNDS AND CEMETERIES**

✓ Law In Force

**15.— As to offences in crematoria.**

(1) In this section “burial” includes the interment of cremated human remains, “crematorium” means a crematorium belonging to a burial authority and “vault” means a chamber provided for the reception of human remains or cremated human remains, together with the access thereto.

(2) No person shall—

- (a) wilfully create any disturbance in a crematorium;
- (b) commit any nuisance in a crematorium;
- (c) wilfully interfere with any burial taking place in a crematorium;
- (d) wilfully interfere with any vault, kerb or memorial or any flower or plant in a crematorium; or
- (e) play at any game or sport in a crematorium.

(3) No person not being an officer or servant of the burial authority or another person so authorised by or on behalf of the burial authority shall enter or remain in a crematorium at any hour when it is closed to the public.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.

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**Commencement**

Pt IV s. 15(1)-(4): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt IV s. 15-(4): England

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✓ Law In Force

**16. Powers in relation to disused parts of burial grounds.**

A district council may in relation to part of a burial ground (not being a cemetery provided and maintained by a burial authority under section 214 (2) of the Act of 1972) exercise any of the powers conferred by the Open Spaces Act 1906 in relation to burial grounds.

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**Commencement**

Pt IV s. 16: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt IV s. 16: England

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✔ Law In Force

**17.— Power to use certain burial grounds for building, etc.**

(1) A district council may exercise the powers of this section in respect of any closed or disused burial ground in their district for the time being belonging to them (hereafter in this section referred to as a “burial ground”):

Provided that in respect of a closed or disused burial ground forming the churchyard of a Church of England church, whether or not there is a church standing in it still in use for public worship at the time of the proposed exercise of such powers, the said powers shall not be exercised without the licence or faculty of the bishop.

(2) Notwithstanding anything contained in any enactment, but subject to the provisions of this section it shall be lawful for the district council to use, deal with or dispose of a burial ground for building or for any other purpose in like manner as if no part thereof had ever been used or set apart for the purpose of the burial of human remains.

(3) Before erecting or causing to be erected any building on a burial ground the district council shall remove or cause to be removed therefrom the remains of all deceased persons interred therein.

(4) Before proceeding to remove any such remains the district council shall—

- (a) publish notice of their intention to do so in a newspaper circulating in their district once in each of two successive weeks with an interval between each publication of not less than six clear days;
- (b) display a copy of that notice in a conspicuous position in the burial ground concerned; and
- (c) where the remains have been interred for less than twenty-five years, serve a copy of that notice on the personal representatives or next of kin (or, in the event of their being untraceable, any known relative) of the deceased person;

and any such notice shall have embodied in it the substance of subsections (5) to (10) below.

(5) At any time within two months after the first publication of such notice any person who is an heir, executor, administrator or relative of any deceased person in respect of whose remains the district council have published a notice under subsection (4) above may give notice to the district council of his intention to undertake the removal of such remains and any tombstone relating thereto and thereupon he shall be at liberty to cause such remains to be removed to and re-interred in any burial ground or cemetery in which burials may legally take place (but in the case of a churchyard only with the consent of the incumbent of the parish) or be removed to and cremated in any crematorium, and to remove such tombstone.



(6) If any person giving such notice as aforesaid shall fail to satisfy the district council that he is such heir, executor, administrator or relative as he claims to be, the question shall be determined on the application of either party in a summary manner by the county court and such county court shall have power to make an order specifying who shall remove the remains and any tombstone relating thereto.

(7) The expense of such removal and re-interment or cremation of such remains and such removal of such tombstone shall be defrayed by the district council.

(8) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the district council in respect of the remains in any grave or if after such notice has been given the persons giving the same or, as the case may be, the person specified in any order made under subsection (6) above shall fail to comply with the provisions of this section the district council may remove the remains of the deceased person and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the district council think suitable for the purpose (but in the case of a churchyard only with the consent of the incumbent of the parish) or to be removed to and cremated in any crematorium.

(9) Upon any removal of remains under this section the district council shall deposit with the Registrar General a certificate giving the dates of removal and re-interment or cremation respectively and the place in which they were re-interred or cremated, showing the particulars of each removal separately.

(10) The district council shall remove and dispose of all tombstones relating to the remains of any deceased person removed under this section except tombstones removed in pursuance of subsection (5) above and the district council shall cause to be made a record of such tombstones and of any tombstones removed in pursuance of the said subsection (5) showing the particulars respecting each tombstone as a separate entry and deposit a copy of the record with the Registrar General.

(11) Any jurisdiction or power conferred on the county court by this section may be exercised by the registrar of the court.

(12) The removal of the remains of any deceased person under this section shall be carried out in accordance with any directions that may be given by the Secretary of State.

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#### Commencement

Pt IV s. 17(1)-(12): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt IV s. 17-(12): England

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 Law In Force

### **18.— For protection of Commonwealth War Graves Commission.**

(1) In this section—

“the Commission” means the Commonwealth War Graves Commission;

“Commonwealth war burial” means a burial of any member of the forces of His Majesty fallen in the war of 1914 to 1921 or the war of 1939 to 1947;

“tombstone” includes kerbs.

(2) The powers conferred by section 16 (Powers in relation to disused parts of burial grounds) and section 17 (Power to use certain burial grounds for building, etc.) of this Act shall not be exercisable in respect of—

(a) any grave, vault, tombstone or other memorial provided or maintained by or on behalf of the Commission; or

(b) any other grave or vault containing a Commonwealth war burial;

except with the consent in writing of the Commission.

(3) Before their first exercise of the powers conferred by the said section 16 or the said section 17 in relation to any particular burial ground, the district council shall notify the Commission.

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#### Commencement

Pt IV s. 18(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))


#### Extent

Pt IV s. 18-(3): England

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## PART V

### MARKETS

 Law In Force

#### **19. Part III of Act of 1955 to apply to markets undertakings.**

Any market carried on by a district council within their district which was not established or acquired under section 49 of the Act of 1955 or any of the enactments mentioned in subsection (2) of that section shall be deemed to have been acquired by the district council under the said section 49.

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#### Commencement

Pt V s. 19: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt V s. 19: England

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 Law In Force

#### **20. Power to compound for payment of tolls.**

A district council may enter into a composition with any person with respect to the payment of any tolls or charges which they may demand under the Act of 1955.

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**Commencement**

Pt V s. 20: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt V s. 20: England

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✔ Law In Force

**21.— Power of district council to require information.**

(1) Subject to the provisions of this section a district council may, by notice served on any person who, whether as principal or as agent, sells in any market carried on by the district council, require him to furnish to them such information, including information as to the quantity and value of articles, commodities or produce dealt in by him, and as to the places of origin of such articles, commodities or produce, as may be necessary for or incidental to the discharge or exercise by the district council of their duties or powers as a market authority:

Provided that nothing in this section shall enable the district council to require any person to furnish information except such information as he may possess relating to articles, commodities or produce dealt in by him in the market.

(2) Section 105 (3) of the Act of 1955 shall apply for the purposes of this section as it applies for the purposes of that Act.

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**Commencement**

Pt V s. 21(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt V s. 21-(2): England

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✔ Law In Force

**22. As to public meetings, etc.**

A district council may permit any market place or any lands used for the purposes of any market, and any open land belonging to them adjoining thereto, to be used for public meetings, public services and speaking and public lectures, or for exhibitions, entertainments or amusements or for dancing, and they may make regulations with respect to the purposes of such use and as to the conduct of persons resorting thereto, and may make such charges for such use as they may from time to time determine:

Provided that—

- (a) nothing in this section shall operate to prevent the holding of any market;
- (b) the powers of this section shall not be exercised in relation to any land forming part of a highway without the consent of the highway authority.

---

**Commencement**

Pt V s. 22 Proviso. 007- Proviso. 007(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt V s. 22- Proviso. 007(b): England

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✔ Law In Force

**23. Market byelaws.**

In addition to and without prejudice to any other powers conferred on a district council by section 61 of the Act of 1955, the district council may make and enforce byelaws with respect to the market for the purpose of preventing the outbreak and spread of fire in the market and, in particular, for that purpose—

- (a) imposing requirements with respect to the provision and maintenance of fire-fighting equipment;
- (b) imposing such prohibitions, restrictions or requirements as appear to the district council requisite for securing that no articles, commodities or produce of any description are stored in such manner as to obstruct the use of fire-fighting equipment.

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**Commencement**

Pt V s. 23(a)-(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt V s. 23-(b): England

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**PART VI****HACKNEY CARRIAGES**

✔ Law In Force

**24. Driving of hackney carriages for test and examination purposes.**

The provisions of section 46 of the Town Police Clauses Act 1847 shall not apply to a person driving a hackney carriage licensed under that Act while the hackney carriage is being driven for the purpose of or in connection with—

- (a) a test carried out as to—
  - (i) the mechanical condition or fitness of the hackney carriage or its equipment; or
  - (ii) the competence to drive of an applicant for a licence to drive a hackney carriage;
 or
- (b) an examination under section 43 of the Road Traffic Act 1972.

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**Commencement**

Pt VI s. 24(a)-(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt VI s. 24-(b): England

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**PART VII****LICENSING OF PUBLIC ENTERTAINMENTS**

 Repealed

**25.— [...]**<sup>1</sup>

**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

---

 Repealed

**26.— [...]**<sup>1</sup>

**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

---

 Repealed

**27.— [...]**<sup>1</sup>

**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

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 Repealed

**28. [...]**<sup>1</sup>

**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

---

 Repealed

### 29. [...]¹

#### Notes

¹ Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

 Repealed

### 30. [...]¹

#### Notes

¹ Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

 Repealed

### 31.— [...]¹

#### Notes


¹ Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

 Repealed

### 32.— [...]¹

#### Notes

¹ Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

 Law In Force

### 33.— Devolution of licence under this Part of Cinematograph

(1) In the event of the death of the holder [...]¹ of a licence under the Cinematograph Act 1909 in respect of premises in a district, then, until a legal personal representative of the deceased holder has been duly constituted the person carrying on at those premises the functions in respect of which the licence was granted, shall be deemed to be the holder of the licence.

(2) Upon the due constitution of a legal personal representative of the deceased holder of any such licence as is mentioned in subsection (1) above the licence shall be deemed to be granted to that personal representative.

#### Notes

¹ Words repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

**Commencement**

Pt VII s. 33(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt VII s. 33-(2): England

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**PART VIII****PUBLIC ORDER AND PUBLIC SAFETY**

 Repealed


**34.— [...] <sup>1</sup>**

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**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 (Repeal of Local Acts) Order 1988/66 Sch.1 para.1 (May 1, 1988)

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 Law In Force

**35.— Seizure of cattle.**

(1) A district council may seize and impound any cattle trespassing on land of which they are the occupier or on any other land in the district with the consent of the owner and occupier of such land.

(2) A district council shall, within twenty-four hours after impounding any cattle under this section, give notice of the impounding to the officer in charge of a police station and also to the owner of the cattle if his identity be known to them.

(3) A district council shall keep one or more registers of all cattle seized by them under this section. The register shall contain a brief description of the cattle, the date of seizure and particulars as to the manner in which such cattle are disposed of and every such register shall be open to public inspection at all reasonable times.

(4) If after seven clear days from the date of impounding the owner has not claimed the cattle and paid all expenses incurred in seizing and impounding them, the district council may sell or otherwise dispose of the cattle otherwise than by destruction and if after fourteen clear days from the said date the owner has not claimed the cattle and paid all such expenses, the district council may destroy the cattle in a manner to cause as little pain as possible.

(5) Where the district council dispose of any cattle otherwise than by destruction under subsection (4) above, they shall be accountable to the owner of the cattle for any money arising from the disposal after deducting all such expenses as are mentioned in that subsection.

(6) Whilst any cattle are impounded by a district council under this section the district council shall cause them to be properly fed and maintained.

(7) In this section “cattle” has the same meaning as in the Town Police Clauses Act 1847.

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**Commencement**

Pt VIII s. 35(1)-(7): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt VIII s. 35-(7): England

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**PART IX****ENTERTAINMENT CLUBS**

✔ Law In Force

**36. Interpretation of Part IX.**

In this Part “entertainment club” means, subject to section 43 (Exemption of premises) of this Act, any premises in a district which are used by the members of a club, organisation or body for the provision of entertainment, for dancing or for the playing of games in pursuance of the objects of the club, organisation or body.

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**Commencement**

Pt IX s. 36: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt IX s. 36: England

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✔ Law In Force

**37. Prohibition of unregistered entertainment clubs.**

As from the appointed day in any district, any person, being the owner or occupier, or a person concerned in the conduct or management, of premises in the district, who—

- (a) uses or permits the use of those premises as an entertainment club when they are not registered under this Part; or
- (b) contravenes or permits the contravention of a condition imposed on registration of the premises under this Part;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.



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**Commencement**

Pt IX s. 37(a)-(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt IX s. 37-(b): England

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✔ Law In Force

**38. Offences in connection with entertainment clubs.**

If an entertainment club is habitually used for an unlawful purpose, or as a resort of criminals or prostitutes, any person concerned in the conduct or management of the entertainment club who knows that the premises are so used and does not take such steps as may be reasonable to prevent that use shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

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**Commencement**

Pt IX s. 38: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt IX s. 38: England

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✔ Law In Force

**39.— Application for registration.**

(1) Application for registration or the renewal of registration of premises under this Part shall be made to the district council by the owner or occupier of the premises, stating—

- (a) the name and address of the applicant;
- (b) the address or situation of the premises to which the application relates; and
- (c) such other information regarding the premises, the persons concerned or intended to be concerned in the conduct or management thereof, and the manner in which the premises are to be used, as the district council may reasonably require;

and the applicant shall supply such plans of the premises as the district council may reasonably require.

(2)

- (a) With his application for registration, or for the renewal of registration, of premises under this Part the applicant shall pay such reasonable fee to cover the expense of the district council in dealing with such applications as the council may by resolution prescribe; and different fees may be prescribed for applications of different kinds.

- (b) The district council may dispense with, or reduce, a fee chargeable under this subsection.

(3) An applicant for registration, or for the renewal of registration, of premises under this Part shall, upon making his application, give notice of the application to the fire authority and to the chief

officer of police, and shall give public notice of the application (identifying the premises) in such form as the district council may by resolution prescribe—

- (a) by displaying the notice in a conspicuous position on or near the premises for fourteen days beginning with the date of the application; and
- (b) except in the case of application for the renewal of registration, by advertisement in a newspaper circulating in the district published not later than seven days after the date of the application.

(4) An application for registration, or for the renewal of registration, of premises under this Part shall not be entertained by the district council unless they are satisfied that the applicant has complied with subsection (3) above in respect of the application.

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#### Commencement

Pt IX s. 39(1)-(4): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt IX s. 39-(4): England

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✔ Law In Force

### 40.— Registration of entertainment clubs.

(1)

- (a) The district council shall, on considering an application for the registration of premises under this Part, take into account the suitability of the premises for use as an entertainment club having regard to the matters referred to in subsection (3) below and shall, on considering an application for the renewal of registration, take those matters into account if in their opinion there has, since the last registration or renewal, been a material change of circumstances affecting any of those matters.
- (b) Before considering an application for the registration, or the renewal of registration, of premises under this Part the district council shall consult the fire authority.

(2) On considering an application for the registration, or the renewal of registration, of premises under this Part the district council shall take into consideration any objection made against the application of which notice has, not later than twenty-one days after the date of the application, been sent to the district council and to the applicant, stating in general terms the grounds of the objection.

(3) The district council may refuse to register or renew the registration of premises under this Part if they are satisfied that it is reasonable to do so, having regard to all the circumstances, on the grounds that—

- (a) the premises are not structurally suitable for the intended use, or are not provided with satisfactory means of lighting, sanitation and ventilation;
- (b) the premises are not safe for such use, or the means of heating the premises are not safe;
- (c) satisfactory means of ingress and egress, [...] <sup>1</sup> are not available on the premises;
- (d) [...] <sup>2</sup>

(e) the applicant has, within the period of five years immediately preceding the date of the application, been convicted of an offence under section 8 (b) of the Misuse of Drugs Act 1971 (supply of controlled drugs) or under this Part;

(f) any person concerned or intended to be concerned in the conduct or management of the premises is of such character that persons resorting to the premises are likely to be deprived or corrupted; or

(g) the intended use of the premises is likely to cause nuisance;

and shall refuse to register or renew the registration of any premises if they are satisfied that a disqualification order is for the time being in force under section 100 of the Act of 1964 or section 11 of the Late Night Refreshment Houses Act 1969 in respect of the premises or of any person concerned or intended to be concerned in the conduct or management thereof.

[ (3A) The district council may not refuse to register or renew the registration of premises under subsection (3) above on grounds that relate to precautions against fire. ]<sup>3</sup>

(4) The district council may, on registering or renewing the registration of premises under this Part, impose such conditions as may be reasonable, having regard to all the circumstances, as to—

(a) the maintenance and safe condition of the premises and of means of heating the premises;

(b) [...] <sup>1</sup> the maintenance in proper order of all means of ingress and egress, [...] <sup>1</sup> and means of lighting, sanitation and ventilation;

(c) the maintenance of good order;

(d) the number of persons who may be allowed to be on the premises at any time.

[ (4A) No condition may be imposed under subsection (4) above in so far as it relates to any matter in relation to which requirements or prohibitions are or could be imposed by or under the Regulatory Reform (Fire Safety) Order 2005. ]<sup>4</sup>

(5) The district council may at any time revoke a registration under this Part on any ground upon which, by subsection (3) above, they are authorised or required to refuse to register or renew the registration of the premises, or if they are satisfied that a condition imposed under subsection (4) above has not been complied with.

(6) Before refusing to register or renew the registration of premises under this Part, revoking a registration, or imposing any condition on a registration or renewal of a registration, the district council shall give to the person applying for registration or renewal of registration, or, in the case of a revocation, the person in whose name the premises are registered, an opportunity of appearing before and of being heard by a committee or sub-committee of the council and, if so required by him, the council shall within seven days after their decision give him notice thereof containing a statement of the grounds upon which it was based.

(7) Applications for registration of premises under this Part shall be determined without undue delay.

(8) Registration under this section shall, unless revoked, remain in force for such period, not exceeding thirteen months, as may be fixed by the district council on the grant of the registration or renewal thereof.

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#### Notes

<sup>1</sup> Words repealed by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.4 para.1 (October 1, 2006 as amended by SI 2006/484 art.2)

<sup>2</sup> Repealed by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.4 para.1 (October 1, 2006 as amended by SI 2006/484 art.2)

<sup>3</sup> Added by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.2 para.17(2)(b) (October 1, 2006 as amended by SI 2006/484 art.2)

<sup>4</sup> Added by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.2 para.17(2)(d) (October 1, 2006 as amended by SI 2006/484 art.2)

### Commencement

Pt IX s. 40(1)-(8): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Pt IX s. 40-(8): England

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✔ Law In Force

## 41.— Part IX appeals.

(1) A person aggrieved by a refusal to register or to renew a registration of premises under this Part, or by the revocation thereof, or any condition imposed thereon, may not later than twenty-one days after the day on which notice is given to him under subsection (6) of section 40 (Registration of entertainment clubs) of this Act appeal to a magistrates' court.

(2) On any such appeal the court may, by order—

(a) confirm or set aside such refusal or revocation and, on setting aside a refusal or revocation, impose any condition which the district council would have been entitled to impose; or

(b) confirm, vary or set aside any condition imposed on the registration;

and make directions for giving effect to its decision:

Provided that, where conditions have been imposed on a registration by the district council, the court shall not vary any such condition so as to make the conditions more onerous than those imposed by the district council.

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### Commencement

Pt IX s. 41(1)-(2) Proviso. 008: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Pt IX s. 41-(2) Proviso. 008: England

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✔ Law In Force

## 42.— Part IX powers of entry, inspection and examination.

(1) An authorised officer of the district council or any officer of the fire authority in either case on producing if so required a duly authenticated document showing his authority, or any police constable, may at all reasonable times enter upon, inspect and examine any premises which he has reasonable cause to believe are used, or intended to be used, as an entertainment club for the purpose of ascertaining—

- (a) whether there is, or has been, in or in connection with the premises, a contravention of the provisions of this Part or of any condition imposed on registration under this Part; or
- (b) whether or not circumstances exist which would authorise the district council to take action under this Part.

(2) Subsections (2), (3) and (4) of section 287 of the Act of 1936 shall apply in respect of entry to premises for the purposes of this section as they apply to entry to premises for the purposes of subsection (1) of that section.

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#### Commencement

Pt IX s. 42(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt IX s. 42-(2): England

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 Law In Force

### 43.— Exemption of premises.

(1) Nothing in this Part shall apply to—

- (a) premises in respect of which there is in force for the time being a justices' on-licence as defined in section 1(2) of the Act of 1964 or a Part IV licence as defined in section 93 of that Act;
- (b) premises while in use wholly or mainly for any purpose authorised by a licence under section 51 of the Act of 1890, the Private Places of Entertainment (Licensing) Act 1967 or Part VII (Licensing of public entertainments) of this Act, or a licence for the public performance of stage plays or a cinematograph exhibition;
- (c) premises kept open wholly or mainly in the course of carrying on the business of a hotel or boarding-house keeper providing sleeping accommodation for members of the public as guests;
- (d) premises used by a club which is registered or licensed under the Act of 1964 or is managed or controlled by a local authority;
- (e) premises used exclusively as a canteen forming part of a factory or office which is subject to any of the relevant statutory provisions as defined in Part I of the Health and Safety at Work etc. Act 1974;
- (f) premises by reason only of their use for the purposes of a club, organisation or body which is registered as a charity under section 4 of the Charities Act 1960 or excepted from registration by virtue of subsection (4) of that section;
- (g) premises at a railway station used as a refreshment room and managed by and under the direct control of the British Railways Board or any wholly-owned subsidiary (within the meaning of section 92 of the Transport Act 1962) of that board.

(2)

- (a) A district council may by resolution—
  - (i) exempt from this Part premises of a class or description specified in the resolution, from a date so specified; and

- (ii) remove that exemption, in whole or as respects premises of a particular class or description so specified, from a date so specified.
  - (b) Subsections (2) and (3) of section 3 (Appointed day) of this Act shall, with any necessary modifications, apply in respect of a resolution made under this subsection and of any date specified by the resolution.
- (3) Notwithstanding the provisions of this Part, it shall be lawful for any person who—
- (a) immediately before the appointed day was using any premises as an entertainment club and had before that day duly applied for the registration of those premises for that purpose;
  - (b) was using any premises as an entertainment club immediately before the date specified in a resolution under subsection (2)(a)(ii) above for the removal of an exemption affecting those premises and had before that date duly applied for registration of those premises for that purpose; or
  - (c) before the expiration of the period of registration of any premises for use as an entertainment club, had duly applied for the renewal of that registration;
- to continue that use of the premises until he is informed of the decision with regard to his application; and, in the case of an applicant for the renewal of registration mentioned in paragraph (c) above, the registration shall be deemed to remain in force notwithstanding the expiration of the period of registration until he is so informed.

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#### Commencement

Pt IX s. 43(1)-(3)(c): October 1, 1980 (1980 c. xiv Pt I s. 1(2))


#### Extent

Pt IX s. 43-(3)(c): England

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## PART X

### PUBLIC HEALTH

 Law In Force

#### **44.— Dust, etc., from building operations.**

- (1) This section applies to any building operation, including any work of demolition or the cleansing of any building or structure, which is either carried out in the open air or carried out in such circumstances that dust from the operation is emitted into the open air.
- (2) Except as provided in subsection (6) below, a district council may give notice to any person carrying out, or controlling the carrying out of, an operation to which this section applies in their district requiring him, within such time as is specified in the notice, to take such reasonably practicable steps as are so specified to reduce the emission of dust from the operation.
- (3) In considering what steps are reasonably practicable for the purposes of subsection (2) above, the district council shall have regard, amongst other matters, to the requirements of safety and safe

working conditions, any relevant provisions of any code of practice approved under section 16 of the Health and Safety at Work etc. Act 1974 and to the financial implications.

(4) Any person aggrieved by a notice under subsection (2) above may appeal to the county court and the judge may make such order, either confirming or quashing or varying the notice as he thinks fit but shall not so vary the notice that it is more onerous than the notice given by the district council.

(5)

(a) Subject to any order made on appeal under subsection (4) above, any person who fails to comply with a notice under subsection (2) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200 and to a daily fine not exceeding £20

(b) In any proceedings under this subsection it shall be a defence to show that the quantity of dust emitted into the open air was not materially greater than would have been emitted if the notice had been complied with.

(6)

(a) If, before the carrying out of any operation to which this section applies, the person who intends to carry it out applies to the district council for their consent to the operation giving particulars of—

(i) the operation and the method by which it is to be carried out; and

(ii) the steps proposed to be taken to reduce the emission of dust from the operation; and the district council consider that, on the carrying out of the operation in accordance with the application, they would not serve a notice under subsection (2) above in respect of that operation, the district council may give their consent to the operation for the purposes of this section, either unconditionally or subject to such conditions as may be specified in the consent.

(b) In acting under this subsection the district council shall have regard to the matters specified in subsection (3) above.

(c) If the district council do not, within twenty-one days from the receipt of an application under this subsection, give to the applicant a consent, with or without conditions, which is acceptable to the applicant, he may appeal to the county court.

(d) On any appeal under this subsection the judge may make such order either confirming the refusal of the consent or varying any conditions subject to which the consent has been given or ordering the giving of the consent with or without conditions as he thinks fit but shall not so vary any conditions that they are more onerous than those specified by the district council.

(7) In this section “dust” includes chemicals in solution and grit.

(8) Nothing in this section shall prejudice or affect the operation of any of the relevant statutory provisions as defined in Part I of the Health and Safety at Work etc. Act 1974.

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#### **Commencement**

Pt X s. 44(1)-(8): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Pt X s. 44-(8): England

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 Repealed


#### 45.— [...]¹

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##### Notes

¹ Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(IX) para.1 (July 13, 1982)

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 Law In Force

#### 46.— Application of certain enactments to vessels and floating structures.

- (1) Part IX shall apply to vessels and floating structures as if they were premises.
- (2) The enactments mentioned in Parts I and II of Schedule 1 to this Act in their application to a district shall apply in relation to a vessel or floating structure used for human habitation as if that vessel or floating structure were a house, building or premises.
- (3) The enactments mentioned in Part I of Schedule 1 to this Act in their application to a district shall apply in relation to a vessel or floating structure used for the sale of food as if that vessel or floating structure were a house, building or premises.
- (4) In relation to any vessel or floating structure used for human habitation or for the sale of food the enactments applied by the foregoing provisions of this section shall have effect as if the person in charge of the vessel or floating structure were the occupier.
- (5) This section shall not apply to any vessel which is being used for the purpose of navigation.

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##### Commencement

Pt X s. 46(1)-(5): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

##### Extent

Pt X s. 46(5): England

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 Law In Force

#### 47.— Control of rats and mice.

- (1) A district council may with the consent of the owner or occupier of land take any steps for the destruction of rats or mice on the land, or otherwise for keeping it free from rats or mice, and recover from him any expenses reasonably incurred by them in doing so.
- (2) Expressions used in subsection (1) above and in the Prevention of Damage by Pests Act 1949 have the same meaning as in that Act.
- (3) Section 294 of the Act of 1936 (limitation of liability of owners receiving rent as agent of trustee) shall apply to expenses incurred under this section as if they were expenses incurred under section 5 of the said Act of 1949.



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**Commencement**

Pt X s. 47(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt X s. 47-(3): England

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✔ Law In Force

**48. Powers of entry for Prevention of Damage by Pests Act 1949.**

Section 22 of the Prevention of Damage by Pests Act 1949 (powers of entry) shall have effect in a district as if after subsection (1) there were inserted the following subsections:—

“(1A) If it is shown to the satisfaction of a justice of the peace on sworn information in writing—

- (a) that admission to any land has been refused or that refusal is apprehended; or
- (b) that the land is unoccupied or that the occupier is temporarily absent or that the case is one of urgency or that an application for admission would defeat the object of the entry;

and, in either case, that there is reasonable ground for entry upon the land for any such purpose as is mentioned in subsection (1) of this section the justice may by warrant under his hand authorise the local authority, by any person duly authorised by them in writing, to enter upon the land, if need be by force:

Provided that such a warrant shall not be issued unless the justice is satisfied either that notice of the intention to apply for a warrant has been given to the occupier or that the circumstances are as mentioned in paragraph (b) above.

(1B) A person entering upon any land by virtue of the foregoing provisions of this section or of a warrant issued under this section may take with him such other persons as may be necessary and on leaving any unoccupied land upon which he has so entered shall leave it as effectually secured against trespassers as he found it.

(1C) Every warrant issued under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.”

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**Commencement**

Pt X s. 48: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt X s. 48: England

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 Law In Force

#### **49. Amendment of section 85 of Act of 1936.**

In its application to a district section 85 of the Act of 1936 (cleansing of verminous persons and their clothing) shall have effect as if—

- (a) in subsection (2) after the word “that” where it first occurs there were inserted the words “there is reasonable cause to suspect that” and after the word “clothing” where it secondly occurs there were inserted the words “should be examined and if found to be verminous”;
- (b) in subsection (4) after the word “The” there were inserted the words “examination or”.

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#### **Commencement**

Pt X s. 49(a)-(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Pt X s. 49-(b): England

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 Repealed

#### **50.— [...]¹**

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#### **Notes**

<sup>1</sup> Repealed by Building (Repeal of Provisions of Local Acts) Regulations 2003/3030 reg.2 (March 1, 2004)

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## **PART XI**

### **FIRE PRECAUTIONS**

 Repealed

#### **51.— [...]¹**

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#### **Notes**

<sup>1</sup> Repealed by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.4 para.1 (October 1, 2006 as amended by SI 2006/484 art.2)

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## **PART XII**

### **FINANCE**

 Repealed

**52.—** [...] <sup>1</sup>

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**Notes**

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(XV) para.1 (July 13, 1982)

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**PART XIII**

**AIRCRAFT NOISE**

 Law In Force

**53. Interpretation of Part XIII.**

In this Part, unless the subject or context otherwise requires—

“aircraft noise” means noise attributable to aircraft using the airport;

“the airport” means the aerodrome in the city of Leeds known as the Leeds and Bradford Airport;

“the councils” means the local authorities for the time being concerned in the management of the airport and “council” means any one of those authorities;

“local authority” has the meaning assigned to it by section 270 of the Act of 1972.

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**Commencement**

Pt XIII s. 53 definition of "aircraft noise"- definition of "local authority": October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIII s. 53- definition of "local authority": England

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 Law In Force

**54.— Grants towards cost of insulating buildings.**

(1) A council may, in accordance with a scheme made by them under the next succeeding section, make grants towards the cost of insulating buildings or parts of buildings against aircraft noise.

(2) The following enactments in the Rent Act 1977 shall have effect as if a reference to this section had been included therein, namely:—

(a) paragraph (a) of section 33 (1);

(b) paragraph (a) (i) of section 48 (2).

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**Commencement**

Pt XIII s. 54(1)-(2)(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIII s. 54-(2)(b): England

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✔ Law In Force

**55.— Schemes for grants towards cost of insulating buildings.**

(1) A council may, after consulting the other councils, make a scheme or schemes providing for the making of grants under the last foregoing section in respect of buildings in an area, or areas, within or outside the county; but a scheme under this section need apply only to such classes of buildings as the council think fit.

(2) A scheme under this section shall specify by reference to a map the area, or areas, in which buildings must be situated for the grants to be payable and shall make provision as to the persons to whom, the expenditure in respect of which and the rate at which the grants are to be paid, and may make the payment of any grant dependent upon compliance with such conditions as may be specified in the scheme.

(3) A scheme under this section shall specify a date, not being less than two years after the first publication of the notice referred to in subsection (6) below, not later than which an application may be submitted to the council for the making of a grant.

(4) A scheme under this section shall require the council, in any case where an application for a grant is refused, to give to the applicant at his request a written statement of their reasons for the refusal.

(5) A scheme under this section may make different provision with respect to different areas or different circumstances and may be varied or revoked by a subsequent scheme under this section without prejudice to grants already made.

(6)

(a) As soon as may be after the making of a scheme under this section the council shall publish once at least in each of two successive weeks in one or more newspapers circulating in the area, or areas, to which the scheme relates a notice stating the general effect of the scheme and specifying a place or places in the area, or areas, where a copy of the scheme and of the map therein referred to may be inspected by any person free of charge at all reasonable hours.

(b) A photostatic or other reproduction certified by the proper officer to be a true reproduction of a page, or part of a page, of any newspaper bearing the date of its publication and containing a notice mentioned in this subsection shall be evidence of the publication of the notice and of the date of the publication.

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**Commencement**

Pt XIII s. 55(1)-(6)(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIII s. 55-(6)(b): England

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✔ Law In Force

**56.— Orders for insulating new buildings.**

(1) Where a council have made a scheme under section 55 (Schemes for grants towards cost of insulating buildings) of this Act in respect of any area, or areas, they may apply to the Secretary of State for an order requiring provision for insulation against aircraft noise to be made in any building of a class to which the scheme applies which is erected after a date specified in the order (or in any extension of or alteration to any such building made after that date) in the area, or areas, defined in the order by reference to a map, which area, or areas, may comprise the whole or part of the area, or areas, to which the scheme relates.

(2) An application for an order under this section shall be accompanied by a draft of the order which the council desire the Secretary of State to make and a map defining the area, or areas, to which the draft order relates.

(3) Before making application to the Secretary of State for an order under this section the council shall publish in each of two successive weeks in one or more newspapers circulating in the area, or areas, proposed to be comprised in the order a notice—

- (a) stating the general effect of the order;
- (b) specifying a place in the said area, or areas, where a copy of the draft order and of the relevant map may be inspected by any person free of charge at all reasonable hours during a period of twenty-eight days from the date of the first publication of the notice;
- (c) stating that within the said period any person may by notice to the Secretary of State object to the application.

(4) Any person claiming to be affected by the application may object thereto by sending notice of his objection and of the grounds thereof to the Secretary of State within the period specified in the notice and by sending a copy of the objection and of the grounds thereof to the council.

(5) The Secretary of State may make the order in the terms of the draft or in those terms as modified in such manner as he thinks fit:

Provided that if any objection is duly made as aforesaid by any person appearing to the Secretary of State to be affected by the application and is not withdrawn, the Secretary of State shall not make the order unless he has caused a public local inquiry to be held into the proposed order and has considered the report of the person who held the inquiry.

(6)

(a) If the Secretary of State makes an order under this section the council shall give notice of the making and of the effect of the order by publishing the same in one or more newspapers circulating in the area, or areas, to which the order relates.

(b) An order under this section shall be a local land charge.

(7) Where plans for the erection, extension or alteration of a building in an area to which an order made under this section relates are, in accordance with building regulations, deposited with a local authority, the local authority shall, notwithstanding anything in section 64 of the Act of 1936, reject the plans unless it is shown to them—

- (a) that satisfactory provision will be made for insulating the building (or, as the case may be, the extension or alteration of the building) against aircraft noise: or
- (b) that in the case of an extension or alteration no such insulation is necessary.

(8) Section 64 (2) and section 65 (2) to (5) of the Act of 1936 shall have effect as if this section were a section of that Act.

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#### Commencement

Pt XIII s. 56(1)-(8): October 1, 1980 (1980 c. xiv Pt I s. 1(2))


#### Extent

Pt XIII s. 56-(8): England

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## PART XIV

### BRADFORD PROVISIONS

 Law In Force

#### 57. Interpretation of Part XIV.

In this Part—

“the conditioning house” means the conditioning house established under the Bradford Conditioning House Acts 1887 to 1963;

“conditioning house certificate” means a certificate granted under the said Acts or under this Part;

“conditioning house report” means a report issued under the said Acts or under this Part as to any matter ascertained in the course of operations conducted at the conditioning house.

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#### Commencement

Pt XIV s. 57 definition of "the conditioning house" - definition of "conditioning house report": October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XIV s. 57- definition of "conditioning house report": England

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✓ Law In Force

### **58.— Maintenance and establishment of conditioning houses.**

(1) The Bradford council may from time to time enlarge, alter, improve or discontinue the conditioning house and use the buildings, lands, appliances and property connected therewith now vested in them or her after to be acquired, built and provided for to establish, maintain and work any other conditioning house or houses in the city of Bradford for the purpose of ascertaining and certifying the true weight, length and condition of articles of trade and commerce known as tops, noils and yarns and other matters and things of similar character and also the true weight, quality and condition of wools (including the top and noil yield thereof) or for any other purpose of the like nature in order that persons desirous of having any such articles tested and certified may effect such object by means of such conditioning house or houses on payment of reasonable charges for the same and for warehousing and packing such articles, matters and things submitted for the purpose of such testing.

(2) The Bradford council may also—

- (a) test and analyse at any conditioning house any article, matter or thing commonly dealt in by the textile trade and submitted to the Bradford council for such testing or analysis or any sample of any such article, matter or thing; and
- (b) for the purpose of testing or analysing any article, matter or thing take at any conditioning house, or, at the request of the person desirous of having the article, matter or thing tested, or analysed, elsewhere a sample or samples of the article, matter or thing.

(3) For the purposes of this section references to any article, matter or thing shall be construed as references to that article, matter or thing whether in its raw state or at any stage of processing or manufacture.

(4) The Bradford council may for the purposes of this section or any of them provide such appliances, engines, apparatus and plant as they think fit.

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#### **Commencement**

Pt XIV s. 58(1)-(4): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Pt XIV s. 58-(4): England

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✓ Law In Force

### **59. For carrying out the business of the conditioning house.**

The Bradford council may—

- (a) make byelaws for the conduct and management of any conditioning house and of all matters connected therewith and of persons using any such house for conditioning purposes;
- (b) grant certificates in such form as the Bradford council from time to time think proper respecting the articles, matters and things submitted to the Bradford council for examination, testing and certification at any conditioning house;
- (c) issue reports under the hand of the proper officer as to matters ascertained in the course of operations conducted at any conditioning house;

(d) make such charges as they think fit for making any such examination or test, for granting any such certificate, for issuing any such report and for warehousing and packing such articles, matters and things.

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**Commencement**

Pt XIV s. 59(a)-(d): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 59-(d): England

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✔ Law In Force

**60.— Authentication of certificates issued from conditioning house.**

(1) Every certificate issued by the Bradford council for the purposes of this Part shall be valid and effectual if sealed with a special seal to be provided for that purpose and attested by the signature of the proper officer.

(2) The said seal shall denote that it is the seal of the Bradford conditioning house and shall be in the custody and control of the proper officer.

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**Commencement**

Pt XIV s. 60(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 60-(2): England

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✔ Law In Force

**61. Proof of facts stated in conditioning house certificates**

Every conditioning house certificate purporting to be duly sealed in accordance with section 60 (Authentication of certificates issued from conditioning house) of this Act and every conditioning house report purporting to be duly signed in accordance with section 59 (For carrying out the business of the conditioning house) of this Act shall in any proceedings be prima facie evidence of the facts stated in the certificate or the report, as the case may be.

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**Commencement**

Pt XIV s. 61: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 61: England

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✔ Law In Force

## **62.— Misuse of conditioning house certificates or reports.**

(1) If any person having obtained a conditioning house certificate or a conditioning house report is convicted of an offence under the Trade Descriptions Act 1968 by reason of his having published or used any conditioning house certificate or any conditioning house report or any copy of or extract from any such certificate or report for the purpose of advertising any goods or material other than the goods or material to which the certificate or report relates the Bradford council may call in and cancel any certificate or report so published or used and may refuse to grant or issue any further certificates or reports to such person.

(2) If any person is convicted of an offence under the Trade Descriptions Act 1968 by reason of his having, for the purpose of advertising any goods or material, falsely stated or implied that a conditioning house certificate or a conditioning house report has been granted or issued in respect of those goods or that material or falsely stated or implied with regard to any matter that it is justified by a conditioning house certificate or a conditioning house report the Bradford council may refuse to grant or issue conditioning house certificates or conditioning house reports to such person.

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### **Commencement**

Pt XIV s. 62(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### **Extent**

Pt XIV s. 62-(2): England

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✔ Law In Force

## **63. Protection of Bradford council.**

The Bradford council shall not incur any liability in respect of any conditioning house certificate or conditioning house report or in respect of any tops, noils, yarns or wool and other matters and things of the like character deposited with them for examination, testing or certificate beyond such as may arise from negligence or misconduct on the part of any of their officers.

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### **Commencement**

Pt XIV s. 63: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### **Extent**

Pt XIV s. 63: England

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✔ Law In Force

## **64. Baildon Moor.**

The provisions of Schedule 2 to this Act shall have effect in relation to Baildon Moor.

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**Commencement**

Pt XIV s. 64: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 64: England

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✔ Law In Force

**65. Use of Peel Park.**

Notwithstanding anything contained in any conveyance or deed to the contrary the Bradford council may permit Peel Park or any part of that park to be used on Sundays for the playing of games or for other forms of recreation.

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**Commencement**

Pt XIV s. 65: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 65: England

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✔ Law In Force

**66.— Use of Cartwright Hall.**

(1) The Bradford council may use or allow to be used any part of the Cartwright Hall which is not at the time required for the purpose of a museum or art gallery for any of the following purposes, that is to say:—

- (a) the provision of an entertainment of any nature;
- (b) the provision of facilities for dancing.

(2) Nothing in this section shall—

- (a) be taken to dispense with the consent of any Minister of the Crown to any appropriation, lease or other disposition of any lands of the Bradford council in any case in which the consent of such Minister would have been required if this section had not been enacted; or
- (b) affect the provisions of any enactment by virtue of which a licence is required for the public performance of a play or the public exhibition of cinematograph films or for public music or dancing or other entertainment.

(3) Any byelaws relating to a museum or art gallery of the Bradford council shall not apply to any part of the Cartwright Hall which is used for any purpose other than as a museum or art gallery so long as that part is so used, except to such extent as they may be expressed so to apply.

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**Commencement**

Pt XIV s. 66(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 66-(3): England

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✔ Law In Force

**67. Improvement lines.**

Any line prescribed under section 17 (Defining line of streets) of the Bradford Improvement Act 1873 shall be deemed to be an improvement line prescribed under section 72 of the Act of 1959.

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**Commencement**

Pt XIV s. 67: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIV s. 67: England

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**PART XV****CALDERDALE PROVISIONS**

✔ Law In Force

**68. Interpretation of Part XV.**

In this Part—

“the council” means the Calderdale council;

“the deposited plan” means the plan marked “West Yorkshire. Plan of the People's Park, Shibden Hall Estate and Skircoat Moor” and prepared in triplicate, one copy of which has been deposited in the office of the Clerk of the Parliaments, one in the Private Bill Office of the House of Commons and one in the office of the proper officer of the council at the Town Hall, Halifax;

“the People's Park” means the lands in the metropolitan borough of Calderdale comprising a public park and pleasure ground, containing 5.0 hectares or thereabouts, which lands are coloured pink on the deposited plan;

“Shibden Hall Estate” means the lands in the metropolitan borough of Calderdale comprising a public park and pleasure ground, containing 30.6 hectares or thereabouts, which lands are coloured brown on the deposited plan;

“Skircoat Moor” means the lands in the metropolitan borough of Calderdale comprising open, public and unenclosed recreation or play ground, containing 28.5 hectares or thereabouts, which lands are coloured blue on the deposited plan.

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#### Commencement

Pt XV s. 68 definition of "the council"- definition of "Skircoat Moor": October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XV s. 68- definition of "Skircoat Moor": England

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 Law In Force

### 69.— Skircoat Moor.

(1) The council shall continue to hold and maintain Skircoat Moor for ever as an open, public and unenclosed recreation or play ground.

(2) The council may from time to time lay out and set apart any parts of Skircoat Moor for cricket or for other games or purposes, and may on the lands situated thereat and known as Savile Park or adjacent thereto erect such pavilions and ancillary buildings as may be required for the purposes aforesaid on that portion of those lands not exceeding in extent one-fifth of a hectare immediately adjoining the existing refreshment house and public convenience situated on the easterly side of the highway traversing the said park from the church of St. Jude in Free School Lane in the north to the junction of Skircoat Moor Road and Birdcage Lane in the south.

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#### Commencement

Pt XV s. 69(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XV s. 69-(2): England

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 Law In Force

### 70.— Shibden Hall Estate.

(1) Subject to the provisions of this section, the council shall at all times keep the Shibden Hall Estate (hereafter in this section referred to as “the estate”) as a public walk, pleasure ground, public park or recreation ground, and for the avoidance of doubt the estate shall be deemed, for the purposes of section 164 of the Public Health Act 1875, to have been purchased for the purpose of being used as public walks or pleasure grounds.

(2) The council may permit the use of the whole, or set apart any part, of the estate for specific games or sports, for gymnastics or drills, for concerts and any other amusements or for any other purpose tending to promote the health, amusement and enjoyment of the inhabitants and the public.

(3) The council shall preserve the mansion house known as Shibden Hall as a building of historic interest to the public.

(4) No buildings shall be erected upon any part of the estate except such as the council may consider necessary or desirable in connection with use of the estate for the purposes of a public walk, pleasure ground, public park or recreation ground.

(5) No buildings shall be erected upon any part of the estate and no structural alteration shall be made to any existing buildings thereon, nor shall any such buildings be pulled down, except with the approval of the President for the time being of the Yorkshire Archaeological Society.

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**Commencement**

Pt XV s. 70(1)-(5): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XV s. 70-(5): England

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 Law In Force

**71.— People's Park Halifax**

(1) Subject to the provisions of this section the council People's shall continue to hold and maintain the People's Park (hereafter in this section referred to as “the park”) for ever as a public park or pleasure ground.

(2) Byelaws made by the council shall provide—

- (a) that the park shall be kept open to the public on every day of the week during the hours of daylight;
- (b) that the park shall be used by the public as a promenade only, and that no games or sports, swimming or dancing shall be permitted therein;
- (c) that no refreshments of any kind shall be sold within the park;
- (d) that no political or other meetings, open-air preaching, nor the celebration of anniversaries or reunions of clubs or benefit societies shall be permitted within the park.

(3) No buildings shall be erected in the park except such summer-houses, pavilions, lodges or similar structures as appear to the council to be necessary or proper for the convenience of those frequenting the park, or for the residence of the keepers or other persons employed therein.

(4) The Right Honourable Savile William Francis, third Baron Somerleyton, and the heirs to the barony and title Baron Somerleyton of Somerleyton in the county of Suffolk, shall for the purposes of this section continue to be the protector of the park and ex officio a member of the committee of the council responsible for the maintenance of the park.

(5) No charge shall be made for entry to the park nor for any services or facilities provided therein:

Provided that with the written consent of the protector (which he may at any time revoke on giving to the council not less than six months' notice in writing) and subject to any conditions or restrictions imposed by him, the council may make a reasonable charge for the use of seats or chairs on the occasion of musical performances in the park.

(6) With the written consent of the protector the council may allow the park to be used for any demonstration or entertainment held or provided for a charitable object and on such occasion may

close the park to the public (but not for more than six days in all in any one year nor for more than two consecutive days, nor on a Sunday or public holiday) and may charge for admission thereto.

(7) If the council fail for three consecutive months to maintain, manage and regulate the park in accordance with the provisions of this section the protector may in that capacity apply to the Crown Court for such order as the court deem fit to secure compliance with those provisions and to compel the council to pay the costs and expenses of and incidental to the application.

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**Commencement**

Pt XV s. 71(1)-(7): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XV s. 71-(7): England

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✔ Law In Force

**72. Provisions applicable to sections 70 and 71.**

The provisions of section 70 (Shibden Hall Estate) and section 71 (People's Park, Halifax) of this Act may be amended or repealed by a scheme made by the Charity Commissioners under section 18 of the Charities Act 1960.

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**Commencement**

Pt XV s. 72: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XV s. 72: England

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✔ Law In Force

**73. Bonded warehouses.**

The keeping or making available of warehouses approved under section 92 of the Customs and Excise Management Act 1979 shall continue to be a function of the council for the purposes of section 120 of the Act of 1972, and in the exercise of that function it shall be lawful for the council to construct and to maintain warehouses.

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**Commencement**

Pt XV s. 73: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XV s. 73: England

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✔ Law In Force

#### **74.— Repair of certain premises.**

(1) This section applies to dwelling-houses in the parish of Hebden Royd in the metropolitan borough of Calderdale and in this section “dwelling-house” means a building or part of a building intended to be occupied as a separate dwelling.

(2) If it appears to any person, being an owner of a dwelling-house to which this section applies which is so constructed that any part of the dwelling-house is above or beneath any other premises, that those other premises are in such a state of disrepair as to be detrimental to the structure or the amenities of the dwelling-house, he may serve on the owner of those premises a notice (hereafter in this section referred to as a “repairs notice”) requiring the owner of the premises to carry out within such reasonable time as may be therein specified such repairs as may be so specified for the purpose of preserving or restoring the structure or the amenities of the dwelling-house.

(3) If an owner of premises to whom a repairs notice has been given under subsection (2) above fails to commence the works specified in the notice before the expiration of twenty-eight days, or fails to complete such works within the time specified in the notice, the owner of the dwelling-house may apply to the county court for an order under this subsection and if the court is satisfied, having regard to the age and condition of the premises and to all the other circumstances of the case, including the obligations of any person under a lease, that the premises should be repaired by the owner thereof, the court may make an order (hereafter in this section referred to as a “repairs order”) requiring the owner of the premises to carry out within a time specified in the order such of the works specified in the repairs notice as it considers necessary for the purpose mentioned in subsection (2) above and may make directions for giving effect to its decision.

(4) If the owner of the premises fails to comply with a repairs order, the owner of the dwelling-house (or, with the consent of the owner of the dwelling-house, the council) may enter upon the premises and carry out the works specified in the repairs order and may recover from the owner for the time being of the premises the expenses reasonably incurred in so doing.

(5) Nothing in this section shall authorise a repairs notice to be served or a repairs order to be made with respect to any premises which are subject to compulsory acquisition under any enactment, but nothing in this subsection shall affect any right to recover expenses incurred before the premises became so subject.

(6)

(a) Sections 283, 285, and 294 of the Act of 1936 shall have effect for the purposes of this section as if references therein to that Act included a reference to this section and references to a council included a reference to the owner of a dwelling-house.

(b) The council may at the request of the owner of a dwelling-house to which this section applies exercise the powers of section 16 of the Act of 1976 in relation to any premises as if the provisions of this section conferred a function on the council.

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#### **Commencement**

Pt XV s. 74(1)-(6)(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Pt XV s. 74-(6)(b): England

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**PART XVI**  
**KIRKLEES PROVISIONS**

✓ Law In Force

**75.— Lindley Mechanics Hall.**

(1) Subject to the provisions of this section the Kirklees council shall use the Lindley Mechanics Hall undertaking or allow it to be used for the purpose of any of their functions under the Public Libraries and Museums Act 1964 for the benefit of the Lindley district.

(2) The Kirklees council may dispose of the whole or any part of the Lindley Mechanics Hall undertaking and any moneys received in respect of such disposal shall be applied for the purpose mentioned in subsection (1) above.

(3) The Kirklees council may demolish, alter, extend or rebuild the Lindley Mechanics Hall and any other building for the time being forming part of the Lindley Mechanics Hall undertaking.

(4) In this section—

“the deposited plan” means the plan marked “West Yorkshire Act 1980. Lindley Mechanics Hall” and prepared in triplicate, one copy of which has been deposited in the office of the Clerk of the Parliaments, one in the Private Bill Office of the House of Commons and one in the office of the proper officer of the Kirklees council;

“the Lindley district” means so much of the metropolitan borough of Kirklees as lies within the inner edge of the red line shown on the deposited plan;

“the Lindley Mechanics Hall undertaking” means the hall known as the Lindley Mechanics Hall and the land shown coloured red on the deposited plan and any building for the time being on that land and includes any land or property acquired by the Kirklees council with the proceeds of any disposal under subsection (2) above, any building for the time being on land forming part of the said undertaking and any cash, assets or other property for the time being held by the Kirklees council for the purpose of the said undertaking.

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**Commencement**

Pt XVI s. 75(1)-(4) definition of "the Lindley Mechanics Hall undertakin": October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XVI s. 75-(4) definition of "the Lindley Mechanics Hall undertakin": England

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✓ Law In Force

**76.— Lockwood Mechanics' Institute.**

(1) Subject to the provisions of this section the Kirklees council shall use the Lockwood Mechanics' Institute or allow it to be used for the purpose of any of their functions under the Public Libraries and Museums Act 1964 for the benefit of the Lockwood district.



(2) The Kirklees council may dispose of the whole or any part of the Lockwood Mechanics' Institute and any moneys received in respect of such disposal shall be applied for the purpose mentioned in subsection (1) above.

(3) The Kirklees council may demolish, alter, extend or rebuild the Lockwood Mechanics Institute and any building for the time being forming part of the Lockwood Mechanics' Institute.

(4) In this section—

“deposited plan” means the plan marked “West Yorkshire Act 1980. Lockwood Mechanics' Institute” and prepared in triplicate, one copy of which has been deposited in the office of the Clerk of the Parliaments, one in the Private Bill Office of the House of Commons and one in the office of the proper officer of the Kirklees council;

“the Lockwood district” means so much of the metropolitan borough of Kirklees as lies within the inner edge of the red line shown on the deposited plan:

“the Lockwood Mechanics' Institute” means the institute known as the Lockwood Mechanics' Institute and the land shown coloured red on the deposited plan and any building for the time being on that land and includes any land or property acquired by the Kirklees council with the proceeds of any disposal under subsection (2) above and any building for the time being on land forming part of the said institute.

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#### Commencement

Pt XVI s. 76(1)-(4) definition of "the Lockwood Mechanics": October 1, 1980 (1980 c. xiv Pt I s. 1(2))


#### Extent

Pt XVI s. 76(4) definition of "the Lockwood Mechanics": England

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## PART XVII

### LEEDS PROVISIONS

 Law In Force

#### **77. Occasional closure of Roundhay Park.**

In addition to the powers of the Leeds council under section 44 of the Act of 1890 (parks and pleasure grounds) and notwithstanding the proviso to subsection (1) of that section, the Roundhay Leeds council may on such Sundays as they think fit (not exceeding ten in any one year) close to the public Roundhay Park or any part thereof and may grant the use of the same in accordance with the provisions of the said section 44 but subject to the foregoing provisions of this section.

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**Commencement**

Pt XVII s. 77: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XVII s. 77: England

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✔ Law In Force

**78.— Powers as to Temple Newsam Estate.**

(1) The Leeds council may maintain the mansion house called Temple Newsam and may do all such acts as they may deem necessary in order that the character thereof as a mansion house of national and historic interest may be preserved.

(2) The Leeds council may make reasonable charges for admission to the said mansion house.

(3) In addition to the powers of the Leeds council under section 44 of the Act of 1890 (parks and pleasure grounds) and notwithstanding the proviso to subsection (1) of that section, the Leeds council may on such Sundays as they think fit (not exceeding ten in any one year) close to the public so much of the Temple Newsam Estate as may be appropriated for the purpose of a recreation ground or any part thereof and may grant the use of the same in accordance with the provisions of the said section 44 but subject to the foregoing provisions of this subsection.

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**Commencement**

Pt XVII s. 78(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XVII s. 78-(3): England

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✔ Law In Force

**79. Provisions applicable to last two preceding sections.**

Where the Leeds council propose to exercise the powers of section 77 (Occasional closure of Roundhay Park) or subsection(3) of section 78 (Powers as to Temple Newsam Estate) of this Act to close to the public any part of Roundhay Park or the Temple Newsam Estate on a Sunday, the Leeds council shall give reasonable notice thereof by publishing a notice in a newspaper circulating in the city of Leeds and shall affix a copy or copies of the notice to some conspicuous object or objects in Roundhay Park or the Temple Newsam Estate, as the case may be.

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**Commencement**

Pt XVII s. 79: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XVII s. 79: England

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**PART XVIII**  
**MISCELLANEOUS**

✔ Law In Force

**80.— Byelaws for sports centres, gymnasiums, etc.**

(1) A district council may make byelaws for regulating or controlling the use of any lands or buildings held or managed by them under section 19 of the Act of 1976 and of any facilities or services provided in connection therewith.

(2) Without prejudice to the generality of the foregoing provisions of this section, byelaws under this section may be made for all or any of the following purposes:—

- (a) for the prevention of nuisances on or in any such lands or buildings;
- (b) for securing the good and orderly conduct of persons on or in any such lands or buildings.

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**Commencement**

Pt XVIII s. 80(1)-(2)(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XVIII s. 80-(2)(b): England

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✔ Law In Force

**81.— Trees impeding natural light to houses, shops and offices.**

(1) Subject to the provisions of this section a tree or shrub which impedes or excludes the access of natural light to a dwelling-house, shop or office premises to such an extent as to be prejudicial to the health of the occupiers of the dwelling-house, shop or office premises shall be a statutory nuisance for the purpose of Part III of the Act of 1936 in its application to a district, and the provisions of that Act shall have effect accordingly as if the provisions of this section were provisions of the said Part III.

(2) In proceedings brought by virtue of subsection (1) above in respect of a tree or shrub which is alleged to impede or exclude the access of natural light to a dwelling-house, shop or office premises, the court shall have regard to the question whether or not immediately after the construction, erection

or extension of the dwelling-house, shop or office premises the tree or shrub or one or more trees or shrubs having a substantially similar effect impeded or excluded the access of natural light thereto and the extent of any such impeding or exclusion.

(3) In this section—

“dwelling-house” means a building or part of a building intended to be occupied as a separate dwelling;

“office premises” has the same meaning as in the Offices, Shops and Railway Premises Act 1963;

“shop” has the same meaning as in the Shops Act 1950.

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#### Commencement

Pt XVIII s. 81(1)-(3) definition of "shop": October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XVIII s. 81-(3) definition of "shop": England

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 Repealed


**82.—** [...] <sup>1</sup>

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#### Notes

<sup>1</sup> Repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(XIII) para.1 (July 13, 1982)

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 Law In Force

#### **83.— Byelaws relating to executive's bus undertaking.**

(1) [The executive may] <sup>1</sup> make byelaws—

(a) regulating the use of premises belonging to or leased by bus the executive for, or in connection with, bus services within their area, including premises provided at stations for interchange between road and rail traffic, the maintenance of order on such premises and the conduct of all persons, including their officers and servants, while on such premises; and

(b) for the safe custody and redelivery or disposal of property found in premises belonging to or leased by the executive for, or in connection with, such bus services and for fixing the charges which may be made in respect thereof;

and the executive shall enforce any such byelaws.

(2) Without prejudice to the generality of the foregoing subsection, byelaws under subsection (1)

(a) above may contain provisions—

(a) with respect to interference with, or obstruction of, premises or facilities provided in connection with such bus services;

(b) with respect to the use of tobacco or other substances, the control of animals and the prevention of nuisances;

- (c) with respect to the receipt and delivery of goods and the payment of charges with respect to the conveyance, custody or handling of goods;
- (d) for regulating the passage of bicycles and other vehicles on footways and other premises controlled by the executive and intended for the use of persons on foot.

(3) Any byelaws made under this section may provide that any person contravening them shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50 for each offence.

(4) Without prejudice to the taking of proceedings under subsection (3) above, if the contravention of any byelaws having effect under this section is attended with danger or annoyance to the public, or hindrance to the executive, in the lawful conduct of bus services, it shall be lawful for the executive summarily to take action to obviate or remove the danger, annoyance or hindrance.

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#### Notes

- <sup>1</sup> Words substituted by Local Government Reorganisation (Consequential Provision) Order 1991/2296 art.2 (November 18, 1991)

#### Commencement

Pt XVIII s. 83(1)-(4): October 1, 1980 (1980 c. xiv Pt I s. 1(2))


#### Extent

Pt XVIII s. 83-(4): England

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## PART XIX

### GENERAL

 Law In Force

#### **84.— Disputes about compensation.**

(1) Any dispute arising on a claim for compensation under this Act being a dispute for the determination of which no other provision is made by or under this or any other Act, shall be determined, if the parties so agree, by arbitration, or, in default of agreement, by a county court.

(2) A county court shall have jurisdiction to deal with any dispute which by virtue of subsection (1) above is to be determined by such a court notwithstanding that, by reason of the amount of the claim or otherwise, the case would not, but for this provision, be within the jurisdiction of a county court.

(3) Nothing in this section shall prejudice the operation of section 115 of the County Courts Act 1959 (removal into the High Court of proceedings commenced in a county court).

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**Commencement**

Pt XIX s. 84(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIX s. 84-(3): England

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✔ Law In Force

**85. Local inquiries.**

A Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act and section 250 (2) to (5) of the Act of 1972 shall apply to any such inquiry.

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**Commencement**

Pt XIX s. 85: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIX s. 85: England

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✔ Law In Force

**86. Saving for conduct of business or use of premises.**

Where under any provision of this Act the consent of a local authority to the carrying on of any business or to the use of premises for any purpose is required as from an appointed day, it shall be lawful for any person who—

- (a) immediately before that day was carrying on the business, or using any premises for the purpose; and
- (b) had before that day duly applied for the consent required by that provision;

to continue to carry on that business, or, as the case may be, to use those premises for that purpose, until he is notified of the decision with regard to his application, and if the decision is adverse, during such further time as is provided under section 87 (Appeals) of this Act.

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**Commencement**

Pt XIX s. 86(a)-(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Pt XIX s. 86-(b): England

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✔ Law In Force

### **87.— Appeals.**

(1) Sections 300 to 302 of the Act of 1936 shall apply in respect of appeals to a magistrates' court under this Act.

(2) Where a requirement, refusal or other decision of a local authority against which a right of appeal is conferred by this Act—

(a) involves the execution of any work or the taking of any action; or

(b) makes it unlawful for a person to carry on a business which he was lawfully carrying on immediately before the requirement, refusal or decision was made or, but for this section, came into effect, or to use premises for any purpose for which they were lawfully then used;

then, until the time for appealing has expired, or, if an appeal is lodged, until it is disposed of or withdrawn or fails for want of prosecution—

(i) no proceedings shall be taken in respect of any failure to execute the work, or to take the action, nor shall the local authority themselves execute the work or take the action; and

(ii) the person may continue to carry on the business or to use the premises for that purpose.

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#### **Commencement**

Pt XIX s. 87(1)-(2)(ii): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Pt XIX s. 87-(2)(ii): England

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✔ Law In Force

### **88. Restriction on right to prosecute.**

The written consent of the Attorney-General is needed for the laying of an information of an offence created by or under this Act by any person other than a party aggrieved, a local authority or a constable.

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#### **Commencement**

Pt XIX s. 88: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Pt XIX s. 88: England

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✔ Law In Force

### **89.— Crown rights.**

(1) Nothing in this Act affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and, in particular and without prejudice to the generality of the foregoing, nothing in this Act authorises a local authority to take, use, enter upon or in any manner interfere with, any land or hereditaments or any rights of whatsoever description—

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners; or
- (b) belonging to Her Majesty in right of Her Duchy of Lancaster, without the consent in writing of the Chancellor for the time being of the said duchy; or
- (c) belonging to a government department, or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) A consent under subsection (1) above may be given unconditionally or subject to such conditions and upon such terms as shall be considered necessary or appropriate.

(3) Nothing in this section shall prejudice or affect any statutory powers of a local authority to carry out code-regulated works within the meaning of the Public Utilities Street Works Act 1950 in any highway vested in, or maintained by, the Minister of Transport.

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#### Commencement

Pt XIX s. 89(1)-(3): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XIX s. 89-(3): England

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✔ Law In Force

### 90.— Liability of directors, etc.

(1) Where an offence under this Act or against any byelaw made under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of the offence.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

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#### Commencement

Pt XIX s. 90(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XIX s. 90-(2): England

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✔ Law In Force

### 91. Penalty for obstruction.

Any person who intentionally obstructs any officer of a local authority acting in execution of this Act, or of any byelaws made thereunder, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200.



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**Commencement**

Pt XIX s. 91: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**Pt XIX s. 91: England

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✔ Law In Force

**92.— Defence of due diligence.**

(1) In proceedings for an offence under any provision mentioned in Schedule 3 to this Act, it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

(2) If in any case the defence provided under subsection (1) above involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his possession.

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**Commencement**

Pt XIX s. 92(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**Pt XIX s. 92-(2): England

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✔ Law In Force

**93.— Application of general provisions of Act of 1936.**

(1) The sections of the Act of 1936 mentioned in Schedule 4 to this Act shall have effect as if references therein to that Act included references to this Act.

(2) Section 287 of the Act of 1936 (powers of entry) shall have effect as if references therein to that Act included a reference to the following provisions of this Act:—

Section 34	(Protection of damaged buildings);
Section 44	(Dust, etc., from building operations):

Provided that, before entry on any operational railway line of the British Railways Board in pursuance of any of those provisions of this Act and of the said section 287 as it has effect by virtue of this section, not less than twenty-four hours' notice of intended entry shall, except in case of emergency, be given to that board and any person entering on any such railway line in pursuance of that notice or in any such emergency shall comply with the

reasonable requirements of the British Railways Board for the protection of their undertaking.

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#### Commencement

Pt XIX s. 93(1)-(2) Proviso. 011: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XIX s. 93-(2) Proviso. 011: England

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 Law In Force

### 94. Saving for Health and Safety at Work etc. Act 1974.

In the Health and Safety at Work etc. Act 1974—

(a) subsection (5) of section 62 (repeal or modification of certain enactments by building regulations) shall apply to any enactment in this Act and to any provision of a byelaw (or other instrument of a legislative character) made under it as that subsection applies to any enactment mentioned therein;

(b) subsection (1) of section 80 (repeal or modification of certain provisions by regulations) shall apply to any provision of this Act and to any regulation and byelaw made under it as that subsection applies to any provision mentioned in subsection (2) of the said section 80.

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#### Commencement

Pt XIX s. 94(a)-(b): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XIX s. 94-(b): England

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 Law In Force

### 95.— Repeals.

(1) Subject to subsection (2) of this section the enactments mentioned in column (1) of Part I of Schedule 5 to this Act in so far as they apply within the county are hereby repealed to the extent mentioned in column (2) thereof.

(2) The saving provisions contained in Schedule 6 to this Act shall have effect in relation to repeals effected by this Act.

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#### Commencement

Pt XIX s. 95(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Pt XIX s. 95-(2): England

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**SCHEDULE 1****ENACTMENTS APPLIED TO CERTAIN VESSELS AND FLOATING STRUCTURES****Section 46.****PART I**

✓ Law In Force

**The Act of 1936—**

Section 39	(Provisions as to drainage, &c., of existing buildings);
Section 40	(Provisions as to soil pipes and ventilating shafts);
Section 42	(Power of local authority to alter drainage system of premises);
Section 44	(Buildings having insufficient closet accommodation or closets so defective as to require reconstruction);
Section 45	(Buildings having defective closets capable of repair);
Section 46	(Sanitary conveniences in factories, workshops and workplaces);
Section 51	(Care of closets);
Section 90	(Interpretation of Part II);
Part XII	(General).

**Commencement**

Sch. 1(I) para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 1(I) para. 1: England

**PART II**

✓ Law In Force

**The Act of 1936—**

Section 83	(Cleansing of filthy or verminous premises);
Section 84	(Cleansing or destruction of filthy or verminous articles);

Part III	(Nuisances and offensive trades);
Section 138	(Power of local authority to require any occupied house to be provided with sufficient water supply);
Subsections (3) and (4) of section 152	(Restrictions on sending or taking infected articles to laundry or public washhouse, or to cleaners);
Section 153	(Power to prohibit home work on premises where notifiable disease exists);
Section 157	(Provisions as to the letting of houses, or rooms in hotels, after recent case of notifiable disease);
Section 158	(Persons ceasing to occupy house to disclose to owner any recent case of notifiable disease, and to disinfect);
Section 164	(Avoidance of contact with body of person who suffered from notifiable disease);
Section 165	(Wake not to be held over body of person who suffered from notifiable disease);
Section 167	(Cleansing and disinfection of premises and articles therein);
Section 168	(Power of local authority to remove temporarily inmates of infected house).

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#### Commencement

Sch. 1(II) para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent


Sch. 1(II) para. 1: England

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## SCHEDULE 2

### PROVISIONS RELATING TO BAILDON MOOR

#### Section 64.

 Law In Force

#### **1. Baildon Moor to continue vested in Bradford council.**

Subject to the provisions of this Schedule the Bradford council shall continue to hold and be entitled to exercise and enjoy the estate, interests, rights, powers, privileges and authorities in, under and over Baildon Moor (in this Schedule referred to as “the Moor”) vested in and exercisable or enjoyed by the Bradford council at the commencement of this Act.

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#### Commencement

Sch. 2 para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 2 para. 1: England

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✔ Law In Force

## 2. Land to be kept open.

The Moor shall be held by the Bradford council and be at all times kept open, unenclosed and unbuilt on and (subject to the exercise of rights of common thereon) as open spaces for the recreation and enjoyment of the public.

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### Commencement

Sch. 2 para. 2: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Sch. 2 para. 2: England

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✔ Law In Force

## 3. Natural aspect to be preserved.

The Bradford council shall at all times so far as possible but subject to any rights reserved by or granted pursuant to this Schedule preserve the natural aspect and state of the Moor and shall, subject to the provisions of this Schedule, protect the trees, shrubs, plants, turf and herbage growing on the same and shall prevent all persons from felling, cutting, lopping or injuring the same and from digging stone, shale, clay, loam soil, gravel, sand or other material therefrom.

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### Commencement

Sch. 2 para. 3: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Sch. 2 para. 3: England

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✔ Law In Force

## 4. Powers of Bradford council as to Moor.

The Bradford council may exercise the following powers in regard to the Moor (that is to say) they may:—

- (a) improve portions of the Moor so far as may be necessary or desirable for the purposes of health, recreation and enjoyment;
- (b) make, maintain, stop up, alter and divert roads, footpaths and ways thereover other than highways maintainable at the public expense, and make ornamental waters in the Moor;
- (c) plant trees and shrubs for purposes of shelter or ornament and fell, cut, lop and manage the same and any other trees, plants and shrubs on the Moor and make and maintain so long as shall be necessary temporary inclosures for the protection of trees, shrubs and turf:

Provided that in exercising the powers aforesaid the Bradford council shall not unduly interfere with, hinder or prejudice any rights of common;

- (d) let the pasturage of the Moor in such manner and at such rent as they may think proper subject to any rights of common;

- (e) provide and maintain pounds for the impounding of cattle and other animals straying on the Moor.

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**Commencement**

Sch. 2 para. 4(a)-(e): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 2 para. 4-(e): England

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✔ Law In Force

**5. Power to make byelaws.**

Subject to the provisions of this Schedule the Bradford council may make byelaws for any of the following purposes relating to the Moor (that is to say):—

- (a) for preventing fires and nuisances and for preservation of order;
- (b) for preventing bird catching, bird trapping and the taking of or searching for birds' eggs or nests and for preventing the killing, taking, injuring, shooting, chasing or disturbing of animals and for preventing the setting of traps, nets, snares or other engines for any of those purposes;
- (c) for excluding and removing horses, asses, cattle, sheep and other animals from and for preventing persons from turning out or permitting horses, asses, cattle, sheep or other animals to feed or graze upon the Moor otherwise than in the exercise of any rights of common and for regulating the turning out of horses, cattle and sheep in the exercise of any such rights;
- (d) for preventing the firing or discharging of firearms or the throwing or discharging of missiles;
- (e) for preventing injury to or the defacement or removal of fences, barriers or notice-boards or other things put up by the Bradford council and the disfigurement of fences, buildings or trees by posting or painting bills, placards or notices thereon or otherwise;
- (f) for regulating with respect to Baildon Green and Bracken Hill Green the playing of games, the letting and hiring of horses, asses and other animals and of carriages and other vehicles and preventing the racing of horses or other animals;
- (g) for regulating the traffic on the roads and footpaths of the Moor other than roads and footpaths maintainable at the public expense;
- (h) for regulating the time and place for the performance of bands of music and for securing orderly conduct during the time when the band is performing;
- (i) for regulating the use of cabmen's shelters and public lavatories;
- (j) for setting apart parts of the Moor upon which persons may deliver lectures, sermons or speeches, hold entertainments or perform music or exercise horses and for prohibiting the assembly of persons, the delivery of lectures, sermons or speeches, the holding of entertainments, the playing of music and the exercising of horses upon the Moor except upon any part so set apart as aforesaid:

Provided that no part of the Moor to be set apart for any of the purposes mentioned in this sub-paragraph shall be situate within one hundred yards of any dwelling-house; and

(k) generally for carrying into effect the powers of the Bradford council and for preventing any improper use of the Moor or anything tending to the injury or disfigurement thereof or of any property of the Bradford council thereon or therein.

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#### Commencement

Sch. 2 para. 5(a)-(k): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 2 para. 5-(k): England

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✔ Law In Force

### 6. Compensation to persons injuriously affected by byelaws.

The Bradford council shall pay compensation to any person having rights of common over the Moor who is injuriously affected by any byelaws made under the provisions of this Schedule and such compensation, shall be determined in case of dispute under and in accordance with the Land Compensation Act 1961.

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#### Commencement

Sch. 2 para. 6: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 2 para. 6: England

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✔ Law In Force

### 7. Cabmen's shelters and public conveniences.

The Bradford council may erect and maintain shelters for cabmen and public lavatories with proper sanitary arrangements upon the Moor and may charge for the use thereof and shall erect and maintain sufficient sanitary conveniences which may be used free of charge.

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#### Commencement

Sch. 2 para. 7: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 2 para. 7: England

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✔ Law In Force

### 8. Power to provide stands, shelters and seats.

The Bradford council may erect and maintain temporary bandstands, shelters and inclosures adjoining thereto on the Moor and may place or authorise any person to place seats or chairs on the Moor for

the use of the public and may if they think fit charge or allow such person to charge a reasonable sum for the use of such chairs.

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**Commencement**

Sch. 2 para. 8: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 2 para. 8: England

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✔ Law In Force

**9. Power to enclose lakes for skating and to charge for admission.**

The Bradford council during times of frost may for the purpose of protecting ice for skating on all or any part of any lake or piece of water on the Moor enclose such parts of the Moor as may be necessary to effect such purpose and charge for admission to any part so enclosed.

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**Commencement**

Sch. 2 para. 9: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 2 para. 9: England

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✔ Law In Force

**10. Power to erect, maintain and let conservatories, refreshment rooms, etc.**

The Bradford council may erect, maintain, furnish and equip and may remove conservatories, refreshment rooms and other temporary or permanent buildings, erections and conveniences on the Moor as may be required or convenient for the purpose thereof and for the public resorting thereto and may let any refreshment rooms or other buildings with their appurtenances belonging to them or under their control to such person on such terms and conditions as the Bradford council think fit.

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**Commencement**

Sch. 2 para. 10: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 2 para. 10: England

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✓ Law In Force

### **11.— Setting apart and closing of Moor for special purposes.**

(1) The Bradford council may set apart any part or parts of the Moor to be used for cricket, football, golf, lawn tennis and other games and sports, for gymnastics, for the drill of any military or police force, for concerts and other amusements and for any purpose tending to promote the health, amusement and enjoyment of the public and may make charges for such use.

(2) When any part or parts of the Moor are used or set apart under sub-paragraph (1) of this paragraph the Bradford council may close the same against the public for not more than twelve days in any year nor for more than four consecutive days on any one occasion nor on any public holiday.

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#### **Commencement**

Sch. 2 para. 11(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Sch. 2 para. 11-(2): England

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✓ Law In Force

### **12.— As to purchase and extinguishment of rights of common.**

(1) If at any time it shall in the opinion of the Bradford council be expedient having regard to the use and enjoyment by the public of the Moor to extinguish the rights of common over all or any part of the Moor the Bradford council may acquire and extinguish those rights upon compensating the owners of rights of common and for the purpose of determining the amount of such compensation and the person or persons to whom the same is to be paid and the time and manner of such payment the provisions of Schedule 4 to the Compulsory Purchase Act 1965 shall apply.

(2) In addition to the powers conferred upon the Bradford council by sub-paragraph (1) of this paragraph they may purchase by agreement all or any rights of common and, until the extinguishment of all rights of common, they may hold the same and let the rights of pasture.

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#### **Commencement**

Sch. 2 para. 12(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### **Extent**

Sch. 2 para. 12-(2): England

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✓ Law In Force

### **13. For protection of water authority.**

In the exercise of the powers conferred upon them by virtue of this Schedule the Bradford council and their successors and assigns shall not at any time do or permit to be done any act, deed, matter or thing whereby any damage, injury or interruption shall be caused or sustained to or by all or any of the reservoirs, aqueducts, conduits or pipes situate, lying and being on and under the Moor and

used and occupied by the water authority or to the several springs or streams of water, rights, privileges or easements mentioned and described in a certain indenture dated 20th April 1857 and made between William Maude of the one part and the local board of health for the district of Baildon of the other part or whereby the use and enjoyment of the same by the water authority may be interrupted, diminished or affected and notwithstanding anything in this Schedule the Bradford council and their successors and assigns shall at all times permit the water authority to have and enjoy free and uninterrupted rights of access for themselves, their servants, agents and workmen with or without horses, carts or vehicles to and from the said reservoirs, aqueducts, conduits and pipes, springs and streams of water or any of them or any part or parts thereof for all purposes incidental to the full and proper use and enjoyment thereof with liberty for any such purposes to break open the surface of the lands in or under which the same may be situate.

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#### Commencement

Sch. 2 para. 13: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent


Sch. 2 para. 13: England

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### SCHEDULE 3

#### PROVISIONS REFERRED TO IN SECTION 92 (DEFENCE OF DUE DILIGENCE) OF THIS ACT

#### Section 92.

 Law In Force

[...]	...] <sup>1</sup>
Section 37	(Prohibition of unregistered entertainment clubs);
Section 38	(Offences in connection with entertainment clubs);
Section 44	(Dust, etc., from building operations);
Section 51	(Firemen's switches for luminous tube signs).

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#### Notes

<sup>1</sup> Words repealed by Local Government (Miscellaneous Provisions) Act 1982 c. 30 Sch.7(II) para.1 (January 1, 1983)

#### Commencement


Sch. 3 para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 3 para. 1: England

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**SCHEDULE 4****SECTIONS OF ACT OF 1936 APPLIED TO THIS ACT****Section 93.**

 Law In Force

Section	Marginal note
276	Power of local authority to sell certain materials.
283(1)	Notices to be in writing; forms of notices, &c.
285	Service of notices, &c.
291	Certain expenses recoverable from owners to be a charge on the premises; power to order payment by instalments.
297	Continuing offences and penalties.
304	Judges and justices not to be disqualified by liability to rates.
328	Powers of Act to be cumulative.
341	Power to apply provisions of Act to Crown property.


**Commencement**

Sch. 4 para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 4 para. 1: England

**SCHEDULE 5****ENACTMENTS REFERRED TO IN SECTION 95 (REPEALS) OF THIS ACT****Section 95.****PART I****ENACTMENTS REPEALED**

 Law In Force

(1)

Enactment

(2)

Extent of repeal

An Act for dividing the Park of Pontefract in the County of York and for other purposes therein mentioned	The whole Act.
An Act to amend and enlarge the Powers of an Act passed in the Thirtieth Year of His present Majesty, for better supplying the Town and Neighbourhood of Leeds, in the County of York, with Water, and for more effectually lighting and cleansing the Streets and other Places within the said Town and Neighbourhood, and for removing and preventing Nuisances and Annoyances therein; and for erecting a Court House and Prison for the Borough of Leeds, and for widening and improving the Streets and Passages in the said Town	The whole Act.
An Act for regulating the New Market Place in the Town of Halifax, in the West Riding of the County of York	The whole Act.
An Act for paving and otherwise improving the Streets and other publick Passages within the Town of Pontefract, in the County of York, for better supplying the said Town with Water, and for altering and amending an Act, passed in the Twentieth Year of His present Majesty, intituled, An Act for dividing the Park of Pontefract, in the County of York, and for other Purposes therein mentioned	The whole Act.
An Act to amend and enlarge the Powers and Provisions of an Act of His present Majesty, for erecting a Court House and Prison for the Borough of Leeds, in the County of York, and other Purposes; to provide for the Expence of the Prosecution of Felons in certain Cases; and to establish a Police and Nightly Watch in the Town, Borough, and Neighbourhood of Leeds aforesaid	The whole Act.
An Act for lighting with Gas the Town of Bradford, and the Neighbourhood thereof, within the Parish of Bradford, in the West Riding of the County of York	The whole Act.
An Act for lighting with Gas the Town and Township of Halifax, and the Neighbourhood thereof, within the Parish of Halifax, in the West Riding of the County of York	The whole Act.
An Act for paving, lighting, cleansing, watching, and improving the Township of Halifax, and for supplying the same with Water	The whole Act.
An Act for paving, lighting, cleansing, watching, regulating, and otherwise improving the Town of Keighley, within the Parish of Keighley, in the West Riding of the County of York	The whole Act.
An Act for supplying with Water the Town and Neighbourhood of Huddersfield in the West Riding of the County of York	Sections 28 to 30.
An Act for enlarging the Embankment of a Reservoir in the Valley of Wessenden in the Township of Marsden and Parish of Almondbury in the West Riding of the County of York, and for other purposes	The whole Act.
An Act for enlarging the Powers contained in the Will of Sir John Ramsden Baronet, deceased, to grant Leases of the Hereditaments in the Townships of Huddersfield, Honley, Dalton, and Almondbury, devised by such Will; and for other purposes	The whole Act.
An Act to alter the Provisions of an Act for lighting with Gas the Town of Bradford and the Neighbourhood thereof, within the Parish of Bradford in the West Riding of the County of York	The whole Act.
An Act to alter, enlarge, and amend an Act for supplying with Water the Town and Neighbourhood of Huddersfield in the West Riding of the County of York	Sections 5 and 7.
Brighouse Improvement Act 1846 ...	The whole Act.
Bingley Gas Act 1847 ...	The whole Act.
Wakefield Gas Act 1847 ...	The whole Act.
Bingley Improvement Act 1847 ...	The whole Act.
Morley Gas Act 1848 ...	The whole Act.

Leeds Improvement Amendment Act 1848 ...	The whole Act.
An Act for extending certain Powers of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled An Act for enlarging the Powers contained in the Will of Sir John Ramsden Baronet, deceased, to grant Leases of the Hereditaments in the Townships of Huddersfield, Honley, Dalton, and Almondbury devised by such Will, and for other Purposes, to the Hereditaments in the Parishes of Almondbury, Kirkheaton, and Huddersfield comprised in the Settlement made on the Marriage of John Charles Ramsden Esquire, deceased; and for other Purposes	The whole Act.
Bradford Improvement Act 1850 ...	The whole Act.
Public Health Supplemental Act 1851 (No. 3) ...	Section V and, in the Schedule, the Order relating to the borough of Halifax.
Huddersfield Burial Ground Act 1852 ...	The whole Act.
Public Health Supplemental Act 1853 (No. 1) ...	Sections II and VI to X and, in the Schedule, the Orders relating to the borough of Wakefield and the district of Elland.
ShIPLEY Gaslight Act 1853	The whole Act.
Wakefield Borough Market Amendment Act 1853	The whole Act.
Halifax Improvement Act 1853 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds New Gas Company's Act 1854 ...	The whole Act.
ShIPLEY Waterworks and Police Act 1854 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Waterworks Act 1854 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Corporation Waterworks Act 1854 ...	The whole Act.
Pudsey Gas Act 1855 ...	The whole Act.
Huddersfield Burial Ground Amendment Act 1855	The whole Act.
Public Health Supplemental Act 1855 ...	Sections III and V and, in the Schedule, the Orders relating to the districts of Windhill and Keighley.
Halifax Gas Act 1855 ...	The whole Act.
Knottingley Gas Act 1856 ...	The whole Act.
Wakefield Gas (New Capital) Act 1856 ...	The whole Act.
Dewsbury, Batley and Heckmondwike Waterworks Act 1856	Sections LXXXV and XCII.
Leeds Improvement Amendment Act 1856 ...	The whole Act.
Bradford Corporation Waterworks Act 1858 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Halifax Park and Improvement Act 1858 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ramsden's Estate (Leasing) Act 1859 ...	The whole Act.

Mirfield Gas Act 1860 ...	The whole Act.
Local Government Supplemental Act 1860 ...	In the Schedule, the Order relating to the district of Shipley.
Huddersfield Gas Act 1861 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Elland Gas Act 1861 ...	The whole Act.
Sowerby Bridge Gas Act 1861 ...	The whole Act.
Dewsbury and Batley Gas Act 1861 ...	The whole Act.
Bradford Waterworks Act 1862 ...	The whole Act.
Heckmondwike Gas Act 1862 ...	The whole Act.
Local Government Supplemental Act 1862 ...	In the Schedule, the Order relating to the borough of Halifax.
Halifax Improvement Act 1862 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Waterworks Act 1862 ...	The whole Act.
North Bierley Gas Act 1863 ...	The whole Act.
Local Government Supplemental Act 1863 ...	In the Schedule, the Order relating to the district of Batley.
Sowerby Bridge Local Board Act 1863 ...	The whole Act.
Clayton, Allerton, and Thornton Gas Act 1864	The whole Act.
Local Government Supplemental Act 1865	In the Schedule, the Orders relating to the districts of Brighouse, Shipley and Lockwood.
Rastrick Gas Act 1865 ...	The whole Act.
Birstal Gas Act 1865 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Horsforth Waterworks Act 1865 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Drighlington and Gildersome Gas Act 1865 ...	The whole Act.
Gomersal Gas Act 1865 ...	The whole Act.
Halifax Extension and Improvement Act 1865	The whole Act.
Local Government Supplemental Act 1866 (No. 3)	Section 4 and, in the Schedule, the Order relating to the district of Netherthong.
Leeds Improvement of Becks Act 1866 ...	The whole Act.
Bradford Corporation Act 1866 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Supplemental Act 1867 (No. 3)	The whole Act.
Keighley Waterworks and Improvement Act 1867	The whole Act.
Dewsbury, Batley, and Heckmondwike Waterworks Amendment Act 1867	The whole Act.

Bingley Extension and Improvement Act 1867	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds Waterworks Act 1867 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ramsden Estate Act 1867 ...	The whole Act.
Local Government Supplemental Act 1868 ...	Sections 3 and 4 and, in the Schedule, the Orders relating to Oxenhope and Stanbury and Keighley.
Yeadon and Guiseley Gas Act 1868 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Calverley and Horsforth District Gas Act 1868	The whole Act, except the provisions referred to in Part II of this Schedule.
Morley Gas Act 1868 ...	The whole Act.
Halifax Corporation Waterworks and Improvement Act 1868	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Waterworks and Improvement Act 1868	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds Improvement Act 1869 ...	The whole Act.
Ilkley Gas Act 1869 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Cleckheaton Gas Act 1869 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Pontefract Park Trustees and Street Commissioners Act 1869	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Water Act 1869 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Keighley Waterworks Extension and Improvement Act 1869	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Waterworks Act 1869 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Supplemental Act (No. 2) 1869	In Section 1 the words from “except” to “Cleckheaton”, section 2 and, in the Schedule, the Order relating to Cleckheaton.
Airedale Gas Act 1870 ...	The whole Act, except the provisions referred to in Part II of this Schedule.

Eccleshill and Bolton Gas Act 1870 ...	The whole Act.
Hebden Bridge Gas Act 1870 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds Corporation Gas Act 1870 ...	The whole Act.
Shipley Gas Act 1870 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Cleckheaton Local Board Act 1870 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds Corporation Gas and Improvements, &c. Act 1870	The whole Act, except the provisions referred to in Part II of this Schedule.
Halifax Water and Gas Extension Act 1870 ...	The whole Act.
Local Government Supplemental Act 1870 ...	In the Schedule, the Order relating to Heckmondwike.
Ilkley Gas Act 1871 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Waterworks Act 1871 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Batley Corporation Waterworks Act 1871 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Ilkley Local Board Act 1871 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Corporation Gas and Improvement Act 1871	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Improvement Act 1871 ...	The whole Act.
Todmorden Gas Act 1871 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Birstal Local Board Act 1872 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Local Government Board's Provisional Orders Confirmation Act 1872	In the Schedule, the Order relating to the district of Soothill Upper.
Leeds Improvement Act 1872 ...	The whole Act.
Haworth Local Board of Health Act 1872 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Keighley Waterworks and Improvement Act 1872	The whole Act, except the provisions referred to in Part II of this Schedule.



Pontefract Gas Act 1873 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Wakefield Waterworks Act 1873 ...	The whole Act.
Burley Local Board Waterworks Act 1873 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation Act (No. 4) 1873	In the Schedule, the Order relating to the district of Ravensthorpe.
Dewsbury and Batley Corporations (Gas) Act 1873	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Bradford Improvement Act 1873 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation Act (No. 6) 1873	In the Schedule, the Order relating to the district of Tong Street.
Bradford Tramways Act 1873 ...	The whole Act.
Horbury Local Board Act 1874 ...	The whole Act, except the provisions referred to in Part IV of this Schedule.
ShIPLEY Local Government Act 1874 ...	The whole Act.
Wakefield Waterworks Act 1874 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation Act (No. 1) 1875	In the Schedule, the Order relating to the districts of Lepton and Slaithwaite.
Ossett-cum-Gawthorpe Local Board Act 1875	The whole Act.
Local Government Board's Provisional Orders Confirmation Act (No. 2) 1875	In the Schedule, the Order relating to the district of Keighley.
Local Government Board's Provisional Orders Confirmation Act (No. 3) 1875	In the Schedule, the Order relating to the district of Keighley.
Bradford Waterworks and Improvement Act 1875	The whole Act, except the provisions referred to in Part II of this Schedule.
Pontefract Borough Extension Act 1875 ...	The whole Act.
Gas and Water Orders Confirmation Act 1875	The North Bierley Gas Order 1875.
Local Government Board's Provisional Orders Confirmation (Abingdon, &c.) Act 1875	In the Schedule, the Order relating to the district of Thornhill.
Huddersfield Waterworks and Improvement Act 1876	The whole Act, except the provisions referred to in Part II of this Schedule.
Kildwick Parish Gas Act 1876 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Dewsbury and Heckmondwike Waterworks Act 1876	Sections 48, 49, 53 and 87 and so much of Schedule 1 as continues in force sections LXXXV and XCII of the Dewsbury, Batley and

	Heckmondwike Waterworks Act 1856.
Local Government Board's Provisional Orders Confirmation (Bingley, &c.) Act 1876	In the Schedule, the Orders relating to the district of Bingley and the Order relating to the district of North Bierley.
Halifax Water and Gas Extension Act 1876 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (Horbury, &c.) Act 1877	In the Schedule, the Order relating to the district of Horbury.
Wakefield Gas Act 1877 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds Improvement Act 1877 ...	The whole Act, except the provisions referred to in Parts II and IV of this Schedule.
Wakefield Improvement Act 1877 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (Caistor Union, &c.) Act 1877	Section 3 and, in the Schedule, the Order relating to the district of Cleckheaton.
Bradford Tramways Act 1878 ...	The whole Act.
Bradford Water and Improvement Act 1878 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Normanton Gas Act 1878 ...	The whole Act, except the provisions referred to in Parts II, III and IV of this Schedule.
Local Government Board's Provisional Orders Confirmation (Bournemouth, &c.) Act 1878	In the Schedule, the Order relating to the borough of Wakefield.
Castleford and Whitwood Gas Act 1878 ...	The whole Act, except the provisions referred to in Parts II, III and IV of this Schedule.
Leeds Corporation Act 1879 ...	The whole Act.
Ilkley Gas Act 1879 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (Castleton-by-Rochdale, &c.) Act 1879	In the Schedule, the Order relating to the district of Keighley.
Local Government Board's Provisional Orders Confirmation (Abergavenny Union, &c.) Act 1879	In the Schedule, the Order relating to the borough of Halifax.
Local Government Board's Provisional Orders Confirmation (Aspull, &c.) Act 1879	In the Schedule, the Order relating to the district of Keighley.
Mirfield Gas Act 1879 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Corporation Waterworks Act 1880 ...	The whole Act, except the provisions referred to in Parts II, III and IV of this Schedule.

Local Government Board's Provisional Orders Confirmation (Abergavenny, &c.) Act 1880	In the Schedule, the Order relating to the district of Heckmondwike.
Local Government Board's Provisional Orders Confirmation (Ashford, &c.) Act 1880	In the Schedule, the Order relating to the district of Mirfield.
Local Government Board's Provisional Orders Confirmation (Aberavon, &c.) Act 1880	In the Schedule, the Order relating to the district of Ossett-cum-Gawthorpe.
Huddersfield Improvement Act 1880 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Yeadon and Guiseley Gas Act 1880 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ackworth, Featherstone, Purston and Sharlston Gas Act 1880	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Tramways Orders Confirmation (No. 2) Act 1880	The Bradford Corporation Tramways Order 1880.
Local Government Board's Provisional Orders Confirmation (Bethesda, &c.) Act 1880	In the Schedule, the Order relating to the district of Haworth.
Local Government Board's Provisional Orders Confirmation (Halifax, &c.) Act 1881 ...	In the Schedule, the Order relating to the borough of Halifax.
Bingley Water and Improvement Act 1881 ...	The whole Act.
Tramways Orders Confirmation (No. 1) Act 1881	The Shipley Tramways Order 1881.
Bradford Water and Improvement Act 1881 ...	The whole Act except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (Acton, &c.) Act 1881	Section 2 and, in the Schedule, the Orders relating to the district of Normanton and the borough of Pontefract.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1882	In the Schedule, the Orders relating to the districts of Heckmondwike and Sowerby Bridge.
Rothwell Gas Act 1882 ...	The whole Act except the provisions referred to in Parts II and III of this Schedule.
Todmorden Waterworks Act 1882 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1882	Section 3 and, in the Schedule, the Order relating to the district of Marsden.
Halifax Corporation Act 1882 ...	The whole Act.
Huddersfield Corporation Act 1882 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Tramways Orders Confirmation (No. 1) Act 1883	The Bradford Corporation Tramways Order 1883.

Tramways Orders Confirmation (No. 3) Act 1883	The Halifax and Districts Tramways Order 1883 and the Spen Valley and District Tramways Order 1883.
Electric Lighting Orders Confirmation (No. 8) Act 1883	The Bradford Electric Lighting Order 1883.
Dewsbury Improvement Act 1884 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1884	In the Schedule, the Order relating to the borough of Bradford except the provisions referred to in Part II of this Schedule and the Orders relating to the districts of Holmfirth and Rothwell.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884	In the Schedule, the Orders relating to the districts of Shipley and Sowerby Bridge.
Tramways Orders Confirmation (No. 1) Act 1885	The Bradford and Shelf Tramways Order 1885 and the Shipley Tramways Order 1885.
Bradford Waterworks and Improvement Act 1885	The whole Act, except the provisions referred to in Part II of this Schedule.
Horsforth Waterworks Extension Act 1885 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Otley Local Board Act 1885 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ramsden Estate Act 1885 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1886	In the Schedule, the Order relating to the borough of Halifax.
Local Government Board's Provisional Orders Confirmation (Gas) Act 1886 ...	The Marsden Gas Order 1886, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 3) Act 1886	In the Schedule, the Order relating to the district of Cleckheaton.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1886	In the Schedule, the Order relating to the district of Dewsbury.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1886	Section 2 and, in the Schedule, the Order relating to the borough of Bradford.
Gas Orders Confirmation (No. 2) Act 1886 ...	The Honley Gas Order 1886, except the provisions referred to in Parts II and III of this Schedule.
Tramways Orders Confirmation (No. 2) Act 1886	The Bradford Corporation Tramways Order 1886.
Wakefield Corporation Act 1887 ...	The whole Act.

Local Government Board's Provisional Orders Confirmation (Gas) Act 1887 ...	The Meltham Gas Order 1887, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1887	In the Schedule, the Order relating to the borough of Bradford.
Local Government Board's Provisional Orders Confirmation (No. 3) Act 1887	So much of section 2 as refers to the borough of Halifax and section 3 and, in the Schedule, the Orders relating to the boroughs of Dewsbury and Halifax.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1887	In the Schedule, the Order relating to the district of Birstal.
Pudsey Gas Act 1887 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1887	In the Schedule, the Order relating to the borough of Halifax and the Order relating to the district of Sowerby Bridge, except the provisions referred to in Part II of this Schedule.
Bradford Corporation (Various Powers) Act 1887	The whole Act.
Halifax Corporation Waterworks Act 1888 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1888	So much of section 2 as refers to the district of Cleckheaton and, in the Schedule, the Order relating to the district of Cleckheaton.
Tramways Orders Confirmation (No. 1) Act 1888	The Bradford Corporation Tramways Order 1888 and the Leeds Corporation Tramways Order 1888.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1888	The whole Act.
Local Government Board's Provisional Order Confirmation (No. 12) Act 1888	The whole Act.
Yeadon Waterworks Act 1889 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1889	In the Schedule, the Order relating to the district of Haworth.
Morley Gas Act 1889 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Corporation Act 1889 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1889	So much of section 2 as refers to the district of Bingley and, in the Schedule, the Order relating to the district of Bingley.

Local Government Board's Provisional Orders Confirmation (No. 11) Act 1889	In the Schedule, the Order relating to the borough of Halifax.
Gas and Water Orders Confirmation Act 1889	The Otley Gas Order 1889, except the provisions referred to in Parts II and III of this Schedule.
Rastrick Waterworks Act 1889 ...	The whole Act.
Clayton Allerton and Thornton Gas Act 1890	The whole Act, except the provisions referred to in Part II of this Schedule.
Baildon Local Board Water Act 1890 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Tramways and Improvement Act 1890	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 3) Act 1890	In the Schedule, the Order relating to the borough of Batley.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1890	So much of section 2 as refers to the district of Soothill Nether and, in the Schedule, the Order relating to the district of Soothill Nether.
Local Government Board's Provisional Order Confirmation (Gas) Act 1890	The whole Act.
Water Orders Confirmation (No. 1) Act 1890 ...	The Todmorden Water Order 1890.
Huddersfield Corporation Waterworks Act 1890	The whole Act, except the provisions referred to in Part II of this Schedule.
Morley Corporation Water Act 1890 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Tramways Orders Confirmation (No. 1) Act 1890	The Bradford Corporation Tramways Order 1890.
Tramways Orders Confirmation (No. 2) Act 1890	The Bradford and District Tramways (Extension) Order 1890.
Electric Lighting Orders Confirmation (No. 3) Act 1890	The Huddersfield Electric Lighting Order 1890.
Local Government Board's Provisional Orders Confirmation (No. 15) Act 1890	The Borough of Huddersfield Order 1890.
Bradford Corporation Waterworks Act 1890 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 1) Act 1891	The Dewsbury Electric Lighting Order 1891
Electric Lighting Orders Confirmation (No. 3) Act 1891	The Heckmondwike Electric Lighting Order 1891.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1891	So much of section 3 as refers to the district of Linthwaite and, in the Schedule, the Order relating to the district of Linthwaite.
Tramways Orders Confirmation (No. 1) Act 1891	The Bradford and Wyke Tramway Order 1891.
Dewsbury Improvement Act 1891 ...	The whole Act.

Keighley Corporation Act 1891 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Electric Lighting Orders Confirmation (No. 2) Act 1892	The Halifax Corporation Electric Lighting Order 1892.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1892	So much of section 2 as relates to the district of Halifax, so much of section 3 as relates to the district of Keighley and, in the Schedule, the Orders relating to the boroughs of Halifax and Keighley.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1892	In the Schedule, the Order relating to the borough of Halifax.
Bradford Corporation Waterworks Act 1892	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1892	Sections 2 and 3 and, in the Schedule, the Orders relating to the boroughs of Bradford and Halifax (except the provisions of the latter referred to in Part II of this Schedule), and the district of Shipley.
Local Government Board's Provisional Orders Confirmation (No. 10) Act 1892	Section 3 and the Borough of Halifax Order 1892.
Ilkley Local Board Act 1893 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Todmorden Local Board Gas Purchases Act 1893	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1893	In the Schedule, the Order relating to the Dewsbury Joint Hospital District.
Education Department Provisional Orders Confirmation (Chiswick, &c.) Act 1893	So much of section 2 as refers to the School Board for Haworth and the Order relating to
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1893	So much of section 2 as refers to the district of Hunslet Union, so much of section 3 as refers to the district of Dewsbury and, in the Schedule, the Orders relating to the borough of Dewsbury and the district of Hunslet Union.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1893	Section 2, so much of section 3 as refers to the districts of Honley, Linthwaite and Slaithwaite and, in the Schedule, the Orders relating to the districts of Honley, Linthwaite and Slaithwaite.
Gas Orders Confirmation Act 1893 ...	The Otley Gas Order 1893.

Leeds Improvement Act 1893 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 13) Act 1893	In the Schedule, the Orders relating to the borough of Ossett and the district of the Wakefield Union.
Local Government Board's Provisional Orders Confirmation Act 1894	The Liversedge and Mirfield Joint Hospital Order 1894.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1894	The Baildon Order 1894.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1894	The Heckmondwike Order 1894 and the Sowerby Bridge Order 1894.
Hebden Bridge Gas Act 1894 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Corporation Water Act 1894 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Electric Lighting Orders Confirmation (No. 3) Act 1894	The Wakefield Corporation Electric Lighting Order 1894 and the Yeadon Electric Lighting Order 1894.
Gas Orders Confirmation (No. 2) Act 1894 ...	The North Bierley Gas Order 1894.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1894	So much of section 2 as relates to the district of the Wakefield Union and the Wakefield Union (Shitlington, Crigglesstone, and Ardsley East) Order 1894.
Huddersfield Waterworks Tramroad Act 1894	The whole Act.
West Riding of Yorkshire Rivers Act 1894 ...	Section 4.
Gas Orders Confirmation Act 1895, Session 2	Kildwick Parish Gas Order 1895.
Gas and Water Orders Confirmation Act 1895 Session 2	The Rothwell Gas Order 1895, except the provisions referred to in Parts II and III of this Schedule.
Local Government Board's Provisional Order Confirmation (No. 19) Act 1895 Session 2	The whole Act.
Local Government Board's Provisional Order Confirmation (No. 20) Act 1895 Session 2	The whole Act.
Hebden Bridge and Mytholmroyd Gas Board Act 1895	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1895	So much of section 2 as relates to the districts of Batley, Hemsworth and Pontefract and the Batley Order 1895, the Hemsworth Rural (Hemsworth) Order 1895 and the Pontefract Rural (Brotherton) Order 1895.
Commons Regulation (Halifax) Provisional Order Confirmation Act 1895	The whole Act.
Brighouse Corporation Act 1895 ...	The whole Act, except the provisions referred to in Part II of this Schedule.



Dewsbury and Heckmondwike Water Act 1896	The whole Act, except the provisions referred to in Parts III and IV of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1896	The Halifax Order 1896.
Huddersfield Waterworks Act 1896 ...	The whole Act.
Electric Lighting Orders Confirmation (No. 1) Act 1896	Huddersfield Electric Lighting Order 1896.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1896	The Liversedge and Mirfield Joint Hospital Order 1896 and the Luddenden Joint Hospital Order 1896.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1896	The Dewsbury Joint Hospital Order 1896, the North Bierley Joint Hospital Order 1896 and the Pontefract Joint Hospital Order 1896.
Local Government Board's Provisional Orders Confirmation (No. 11) Act 1896	The Oakwell Joint Hospital Order 1896.
Local Government Board's Provisional Orders Confirmation (No. 18) Act 1896	The Batley Order 1896.
Education Department Provisional Orders Confirmation (Acton &c.) Act 1896	In the Schedule, the Order relating to the School Board for the parish of Linthwaite.
Local Government Board's Provisional Orders Confirmation (Housing of Working Classes) Act 1896	Sections 2 and 3 and the Leeds (Housing of Working Classes) Order 1896.
Huddersfield Corporation Act 1897 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 1) Act 1897	The Morley Corporation Electric Lighting Order 1897.
Electric Lighting Orders Confirmation (No. 3) Act 1897	The Brighouse Corporation Electric Lighting Order 1897.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1897	The Honley and South Crosland Joint Sewerage Order 1897.
Halifax Corporation Tramways Act 1897 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 15) Act 1897	The Bradford (Yorks) Order 1897.
Education Department Provisional Orders Confirmation (East Barnet &c.) Act 1897	In the Schedule, the Order relating to the School Board for the parish of Linthwaite.
Tramways Orders Confirmation (No. 2) Act 1897	The Huddersfield Corporation Tramways Order 1897.
Bradford Tramways and Improvement Act 1897	The whole Act, except the provisions referred to in Part II of this Schedule.
Morley Corporation (Gas &c.) Act 1898 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1898	The Oakwell Joint Hospital Order 1898.

Electric Lighting Orders Confirmation (No. 2) Act 1898	Ossett Electric Lighting Order 1898.
Electric Lighting Orders Confirmation (No. 3) Act 1898	The Batley Electric Lighting Order 1898.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1898 ...	So much of section 2 as refers to the city of Wakefield and the Wakefield Order 1898.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1898	So much of section 2 as refers to the district of Gomersal and the Gomersal Order 1898.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1898	The Ossett Order 1898.
Local Government Board's Provisional Orders Confirmation (No. 12) Act 1898	The Dewsbury Order 1898.
Gas Orders Confirmation (No. 2) Act 1898 ...	The Crossgates Halton and Seacroft Order 1898, except the provisions referred to in Parts II and III of this Schedule.
Halifax Corporation Act 1898 ...	The whole Act.
Tramways Orders Confirmation (No. 2) Act 1898	The Eccleshill Urban Council Tramways Order 1898, the Huddersfield Corporation Tramways Order 1898 and the Linthwaite Tramway Order 1898.
Todmorden Corporation Water Act 1898 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Keighley Corporation Act 1898 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Burley-in-Wharfedale Urban District Water Act 1899	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 1) Act 1899	The Castleford Electric Lighting Order 1899.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1899	The Borough of Halifax Order 1899.
Electric Lighting Orders Confirmation (No. 7) Act 1899	The Keighley Electric Supply Order 1899.
Electric Lighting Orders Confirmation (No. 10) Act 1899	The Shipley Electric Lighting Order 1899.
Electric Lighting Orders Confirmation (No. 12) Act 1899	The Mirfield Electric Lighting Order 1899.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1899	The Luddenden Foot Joint Sewerage Order 1899 and the Oakwell Joint Hospital Order 1899.
Local Government Board's Provisional Orders Confirmation (No. 12) Act 1899	The Bradford (Yorks) Extension Order 1899.
Tramways Orders Confirmation (No. 1) Act 1899	The Halifax Corporation Tramways Order 1899.

Menstone Waterworks Act 1899 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Yeadon and Guiseley Gas Act 1899 ...	The whole Act.
Wakefield Corporation Act 1899 ...	The whole Act.
Leeds Corporation Act 1899 ...	The whole Act.
Bradford Tramways and Improvement Act 1899	The whole Act.
Tramways Orders Confirmation (No. 2) Act 1899	The Clayton Tramway Order 1899 and the Queensbury Tramway Order 1899.
Bradford and Leeds Light Railway Order 1899	The whole Order.
Pontefract Park (Poor Rate) Act 1900 ...	The whole Act.
Electric Lighting Orders Confirmation (No. 2) Act 1900	The Elland Electric Lighting Order 1900 and the Sowerby Bridge Electric Lighting Order 1900.
Otley Urban District Council (Waterworks) Act 1900 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1900	The Dewsbury Order 1900.
Gas and Water Orders Confirmation Act 1900 ...	The South Elmsall South Kirkby and North Elmsall Gas Order 1900, except the provisions referred to in Parts II and III of this Schedule.
Ossett Corporation Gas Act 1900 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Corporation Market Act 1900 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 6) Act 1900	The Cleckheaton Electric Lighting Order 1900 and the Liversedge Electric Lighting Order 1900.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1900	So much of section 2 as refers to Haworth and the Haworth Order 1900.
Local Government Board's Provisional Orders Confirmation (No. 11) Act 1900	The Shepley and Shelley Joint Sewerage Order 1900.
Local Government Board's Provisional Orders Confirmation (No. 12) Act 1900	The Ossett Order 1900 and the Wakefield Order 1900.
Local Government Board's Provisional Orders Confirmation (No. 13) Act 1900	The Shipley Order 1900.
Tramways Orders Confirmation (No. 1) Act 1900	The Huddersfield Corporation Tramways Order 1900.
Bradford Corporation (Tramways Gas and Various Powers) Act 1900	The whole Act.
Halifax Corporation Act 1900 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Morley Corporation Act 1900 ...	The whole Act.
Huddersfield Corporation Tramways Act 1900	The whole Act.

Otley Gas Act 1901 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 3) Act 1901	The Birstall Electric Lighting Order 1901.
Electric Lighting Orders Confirmation (No. 4) Act 1901	The Honley Electric Lighting Order 1901.
Yorkshire Electric Power Act 1901 ...	The whole Act, except the provisions referred to in Parts II and IV of this Schedule.
Bingley Urban District Council Act 1901 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 5) Act 1901	The Todmorden Electric Lighting Order 1901.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1901	So much or subsection (2) of section 2 as refers to the corporation of Pudsey and the Pudsey Order 1901.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1901	The Halifax and Sowerby Bridge Order 1901.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1901	The Wakefield Order 1901.
Electric Lighting Orders Confirmation (No. 7) Act 1901	The Pudsey Electric Lighting Order 1901 and the Roundhay Electric Lighting Order 1901.
Electric Lighting Orders Confirmation (No. 11) Act 1901	The Ilkley Electric Lighting Order 1901.
Bradford Corporation Act 1901 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Elland Gas Act 1901 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Shipley Improvement Act 1901 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Leeds Corporation (General Powers) Act 1901	The whole Act.
Leeds Corporation Water Act 1901 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Cd. 646 Nidd Valley Light Railway Order 1901 ...	The whole Order.
Electric Lighting Orders Confirmation (No. 2) Act 1902	The Hebden Bridge Electric Lighting Order 1902, the Mytholmroyd Electric Lighting Order 1902 and the Otley Electric Lighting Order 1902.
Local Government Board's Provisional Order Confirmation (Gas) Act 1902	The Silsden Gas Order 1902, except the provisions referred to in Part II of this Schedule.

Local Government Board's Provisional Orders (Housing of Working Classes) Act 1902	The Bradford (Housing of Working Classes) Order 1902.
Bradford Corporation Act 1902 ...	The whole Act.
Halifax Corporation Act 1902 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Corporation Act 1902 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 6) Act 1902	The Stanley (Yorkshire) Electric Lighting Order 1902.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1902	The Liversedge Order 1902.
Electric Lighting Orders Confirmation (No. 7) Act 1902	The West Riding Electric Lighting Order 1902.
Electric Lighting Orders Confirmation (No. 2) Act 1903	The Horbury Electric Lighting Order 1903.
Electric Lighting Orders Confirmation (No. 6) Act 1903	The Huddersfield (Extension to Linthwaite) Electric Lighting Order 1903.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1903	The Shipley Order 1903.
Local Government Board's Provisional Orders Confirmation (Gas) Act 1903	The Meltham Gas Order 1903, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 5) Act 1903	The Calverley Electric Lighting Order 1903 and the Horsforth Electric Lighting Order 1903.
Electric Lighting Orders Confirmation (No. 7) Act 1903	The Tadcaster and District (Extension) Electric Lighting Order 1903.
Gas Orders Confirmation (No. 2) Act 1903 ...	The Crossgates Halton and Seacroft Gas Order 1903, except the provisions referred to in Part II of this Schedule.
Tramways Orders Confirmation (No.1) Act 1903	The Huddersfield Corporation Tramways Order 1903.
Tramways Orders Confirmation (No. 2) Act 1903	The Horsforth Urban District Council Tramways Order 1903 and the Keighley Corporation Tramways Order 1903.
Bradford Corporation Act 1903 ...	The whole Act.
Huddersfield Corporation Act 1902 Amendment Act 1904	The whole Act.
Shipley Urban District Council Act 1904 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1904	The Haworth Order 1904.
Local Government Board's Provisional Orders Confirmation (No. 14) Act 1904	The Brighouse Order 1904.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1904	The Keighley Order 1904.
Electric Lighting Orders Confirmation (No. 3) Act 1904	The Huddersfield (Extension to Golcar) Electric Lighting Order 1904.
Leeds Corporation (Waterworks) Railway Act 1904	The whole Act.

Bradford Corporation (Nidd Valley Transfer) Light Railway Order 1904	The whole Order.
Leeds Corporation (Consolidation) Act 1905 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Otley Improvement Act 1905 ...	The whole Act.
Morley Corporation Act 1905 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1905 ...	The Bradford Order 1905 and the Ossett Order 1905.
Electric Lighting Orders Confirmation (No. 1) Act 1905	Section 4 and the Hipperholme Electric Lighting Order 1905 and the Whitwood Electric Lighting Order 1905.
Local Government Board's Provisional Orders Confirmation (No. 13) Act 1905	The Horsforth Order 1905.
Electric Lighting Orders Confirmation (No. 7) Act 1905	Section 4 and the Hems-worth and District Electric Lighting Order 1905.
Electric Lighting Orders Confirmation (No. 5) Act 1905	The Ravensthorpe Electric Lighting Order 1905.
Tramways Orders Confirmation (No. 1) Act 1905	The Bradford Corporation Tramways Order 1905, the Keighley Corporation Tramways Order 1905, the Leeds Corporation Tramways Order 1905 and the Pudsey Corporation Tramways Order 1905.
Halifax Corporation Act 1905 ...	The whole Act.
Heckmondwike Improvement Act 1905 ...	The whole Act.
Mirfield Gas Act 1906 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Electric Lighting Orders Confirmation (No. 2) Act 1906	The Calverley Electric Lighting Order 1906, the Farsley Electric Lighting Order 1906 and the Horsforth Electric Lighting Order 1903 (Amendment) Order 1906.
Huddersfield Corporation Act 1906 ...	The whole Act.
Electric Lighting Orders Confirmation (No. 4) Act 1906	Section 6 and the Gomersal Electric Lighting Order 1906.
Local Government Board's Provisional Orders Confirmation (Gas) Act 1906	The Marsden Gas Order 1906, except the provisions referred to in Part II of this Schedule.
West Yorkshire Tramways Act 1906 ...	The whole Act.
Todmorden Corporation Act 1906 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Pontefract Corporation Act 1906 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No.1) Act 1907	Section 3 and the Hipper-holme Electric Lighting Order 1907 and

	the Pontefract Corporation Electric Lighting Order 1907.
Brighouse Corporation Act 1907 ...	The whole Act.
Leeds Corporation Act 1907 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 3) Act 1907	Section 3, the Castleford Electric Lighting Order 1907 and the Liversedge Electric Lighting Order 1907.
Tramways Orders Confirmation Act 1907 ...	The Huddersfield Corporation Tramway Order 1907 and the Leeds Corporation Tramways Order 1907.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1907	The Shipley Order 1907.
Local Government Board's Provisional Orders Confirmation (No. 10) Act 1907	The Bradford Order 1907.
Local Government Board's Provisional Orders Confirmation (No. 11) Act 1907	The Dewsbury Joint Hospital Order 1907.
Leeds Corporation Act 1908 ...	The whole Act.
Keighley Corporation Act 1908 ...	The whole Act.
Ravensthorpe Urban District Council Act 1908	The whole Act.
Electric Lighting Orders Confirmation (No. 3) Act 1908	Section 3 and the Sowerby Bridge Electric Lighting (Amendment) Order 1908.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1908	The Shipley Order 1908.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1908	The Bradford Order 1908.
Bradford Corporation (Nidd Valley) Light Railway Orders (Amendment) Order 1908	The whole Order.
Heckmondwike and Liversedge Gas Act 1909	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Wakefield Corporation Act 1909 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1909	The Liversedge Order 1909.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1909	The Wakefield (Extension) Order 1909.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1909	The Oakwell Joint Hospital Order 1909.
Tramways Orders Confirmation Act 1909 ...	The Keighley Corporation Tramways Order 1909.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1909	The Batley (Extension) Order 1909 and the Dewsbury (Extension) Order 1909.
Yorkshire Electric Power Act 1910 ...	The whole Act.
Electric Lighting Orders Confirmation (No. 1) Act 1910 ...	The Huddersfield (Extension to South Crosland) Electric Lighting Order 1910.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1910 ...	The Wakefield (Amendment) Order 1910.

Tramways Orders Confirmation Act 1910 ...	The Huddersfield Corporation Tramways Order 1910.
Bradford Corporation Act 1910 ...	The whole Act, except the provision referred to in Part II of this Schedule.
Leeds Corporation Act 1910 ...	The whole Act.
Halifax Corporation Act 1911 ...	The whole Act.
Shipley Urban District Council Act 1912 ...	The whole Act.
Wakefield Gas Act 1912 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Keighley Corporation Act 1912 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation (No. 1) Act 1912 ...	Section 3 and the Ardsley Electric Lighting Order 1912, the Bingley Urban District Council Electric Lighting Order 1912, the Birstall Electric Lighting Order 1901 (Amendment) Order 1912 and the Greetland Electric Lighting Order 1912.
Electric Lighting Orders Confirmation (No. 2) Act 1912 ...	Section 5, the Ilkley Electric Lighting Order 1912 and the Pontefract Corporation Electric Lighting Order 1912.
Electric Lighting Orders Confirmation (No. 3) Act 1912 ...	So much of section 5 as refers to the Holmfirth Electric Lighting Order 1912 and the Rothwell and District Electric Lighting Order 1912, the Holmfirth Electric Lighting Order 1912, and the Rothwell and District Electric Lighting Order 1912.
Bradford Corporation Trolley Vehicles Order Confirmation Act 1912	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1912	The Huddersfield Order 1912 and the Huddersfield Order (No. 2) 1912.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1912	The Dewsbury Order 1912.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1912	In section 2, paragraph (b), the Halifax (Extension) Order 1912 and Part II of Schedule 2.
Local Government Board's Provisional Orders Confirmation (No. 12) Act 1912	In section 2, so much of paragraph (b) as refers to the Leeds (Extension) Order 1912, the Leeds (Extension) Order 1912 and Part III of Schedule 2.
Local Government Board's Provisional Order Confirmation (No. 14) Act 1912	The whole Act.
Local Government Board's Provisional Orders Confirmation (Gas) Act 1912	The Hipperholme (Bailiff Bridge) Gas Order 1912, except the



	provisions referred to in Part II of this Schedule.
Tramways Orders Confirmation Act 1912 ...	The Bingley Urban District Council Tramway Order 1912 and the Dewsbury Corporation Tramways Order 1912.
Gas Orders Confirmation (No. 1) Act 1912 ...	The Knottingley Gas Order 1912, except the provisions referred to in Part III of this Schedule.
Leeds Corporation Act 1913 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Corporation Act 1913 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Corporation Act 1913 ...	The whole Act.
Morley Corporation Act 1913 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Tramways Orders Confirmation Act 1913 ...	The Baildon Urban District Council Tramway Order 1913.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1913	The Cleckheaton Order 1913.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1913	The Linthwaite Order 1913.
Electric Lighting Orders Confirmation (No. 1) Act 1913	Section 3 and the Baildon Electric Lighting Order 1913.
Cleckheaton Urban District Council Act 1914	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1914	The North Bierley Joint Hospital Order 1914.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1914	The Holmfirth Order 1914.
Local Government Board's Provisional Orders Confirmation (No. 6) Act 1914	The Huddersfield Order 1914.
Electric Lighting Orders Confirmation (No. 1) Act 1914	The Slaithwaite Urban District Electric Lighting Order 1914.
Yorkshire Electric Power Act 1914 ...	The whole Act.
Electric Lighting Orders Confirmation (No. 2) Act 1914	The Knottingley Electric Lighting Order 1914 and the Leeds Electric Lighting (Extension) Order 1914.
Local Government Board's Provisional Orders Confirmation (No. 10) Act 1914	Section 2 and the Pontefract Order 1914.
Leeds Corporation Act 1914 ...	The whole Act.
Ossett Corporation Act 1914 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Local Government Board's Provisional Orders Confirmation (No. 3) Act 1914	The whole Act.
Halifax Corporation Act 1915 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 2) Act 1915	The Huddersfield Order 1915.
Dewsbury Corporation Act 1915 ...	The whole Act.
Electric Lighting Orders Confirmation (No. 2) Act 1915	So much of section 4 as refers to the Normanton Urban District

	Electric Lighting Order 1915 and the Stanley (Yorkshire) Electric Lighting Order 1915, the Haworth Urban District Electric Lighting Order 1915, the Normanton Urban District Electric Lighting Order 1915 and the Stanley (Yorkshire) Electric Lighting Order 1915.
Electric Lighting Orders Confirmation (No. 4) Act 1915	So much of section 3 as refers to the Keighley Electric Lighting (Extension) Order 1915 and the Keighley Electric Lighting (Extension) Order 1915.
Local Government Board's Provisional Orders Confirmation (No. 5) Act 1915	The Bradford Order 1915.
Local Government Board's Provisional Orders Confirmation (No. 8) Act 1915	The Leeds (Rating &c.) Order 1915.
Wakefield Corporation Act 1916 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Halifax Corporation Act Provisional Order Confirmation Act 1916	The whole Act.
Yeadon Waterworks Act 1916 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Electric Lighting Orders Confirmation Act 1917	So much of section 3 as refers to the Feather-stone Electric Lighting Order 1917, the Garforth Electric Lighting Order 1917, the Horbury Electric Lighting Order 1917, the Otley Electric Lighting Order 1917 and the Rawdon Electric Lighting Order 1917, the Leeds (Rating &c.) Order 1915, the Garforth Electric Lighting Order 1917, the Horbury Electric Lighting Order 1917, the Otley Electric Lighting Order 1917 and the Rawdon Electric Lighting Order 1917.
Yorkshire Electric Power Act 1918 ...	The whole Act.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1918	The Batley Order 1918 and the Todmorden Rural Order 1918.
Local Government Board's Provisional Orders Confirmation (No. 3) Act 1918	The Bradford Order 1918 and the Shipley Order 1918.
Leeds Corporation Act 1919 ...	The whole Act.
Huddersfield Corporation Gas Act 1919 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Huddersfield Corporation (Lands) Act 1920 ...	The whole Act.
Halifax Corporation Act 1920 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Orders Confirmation (No. 3) Act 1920	The Leeds Order 1920.

Ministry of Health Provisional Orders Confirmation (No. 5) Act 1920	The Keighley Order 1920.
Ministry of Health Provisional Orders Confirmation (No. 6) Act 1920	The Bradford Order (No. 2) 1920.
Ministry of Health Provisional Orders Confirmation (No. 7) Act 1920	The Wakefield Order 1920.
Huddersfield Corporation (General Powers) Act 1920	The whole Act.
Ministry of Health Provisional Orders Confirmation (No. 5) Act 1921	The Wakefield Order 1921.
Ministry of Health Provisional Orders Confirmation (Ossett and Wakefield Extension) Act 1921	The whole Act.
Batley Corporation Act 1921 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ossett Corporation (Gas) Order 1921 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Elland Gas Order 1921 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Spenborough Urban District Council Gas Order 1921 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Ossett Corporation (Water) Act 1922 ...	The whole Act.
Yorkshire Electric Power Act 1922 ...	The whole Act.
Ministry of Health Provisional Orders Confirmation (No. 2) Act 1922	The Bingley Order 1922.
Ministry of Health Provisional Orders Confirmation (No. 6) Act 1922	The Keighley Order 1922.
Halifax Corporation Act 1922 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Orders Confirmation (No. 8) Act 1922	The Ilkley Order 1922.
Ministry of Health Provisional Orders Confirmation (No. 9) Act 1922	The Bradford Order 1922.
Wetherby District Water Company (Modification of Charges) Order 1922	The whole Order.
Castleford and Whitwood Gas (Charges) Order 1922	The whole Order.
Bingley Water (Modification of Charges) Order 1922	The whole Order.
Electrical Distribution of Yorkshire Limited Electricity Special Order 1922	The whole Order.
Ministry of Health Provisional Orders Confirmation (No. 3) Act 1923	The Huddersfield Order 1923.
Ministry of Health Provisional Orders Confirmation (No. 5) Act 1923	The Keighley Order 1923.
Ministry of Health Provisional Orders Confirmation (No. 6) Act 1923	The Halifax Order 1923.
Ministry of Health Provisional Orders Confirmation (No. 7) Act 1923	The Ilkley Order 1923.
Ministry of Health Provisional Orders Confirmation (No. 8) Act 1923	The Bradford Order 1923 and the Thornton Joint Hospital Orders Rescission Order 1923.
Ministry of Health Provisional Orders Confirmation (No. 10) Act 1923	The Todmorden Order 1923.
Bradford Corporation (Trolley Vehicles) Order (1922) Confirmation Act 1923	The whole Act.
Wakefield Corporation Act 1923 ...	The whole Act.
Morley Corporation Act 1923 ...	The whole Act except the provisions referred to in Part III of this Schedule.
Guiseley and Yeadon Electricity Special Order 1923	The whole Order.

Gildersome and District Electricity Special Order 1923	The whole Order.
Burley-in-Wharfedale and District Electricity Special Order 1923	The whole Order.
Newmill Electricity Special Order 1923 ...	The whole Order.
Ministry of Health Provisional Orders Confirmation (No. 1) Act 1924	The Bradford Order 1924.
Ministry of Health Provisional Orders Confirmation (No. 5) Act 1924	The Halifax Order 1924.
Halifax Corporation Act 1924 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Corporation Act 1924 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Keighley Corporation (Trolley Vehicles) Order Confirmation Act 1924	The whole Act.
Leeds Corporation Act 1924 ...	The whole Act.
Birstall Gas Order 1924 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Castleford Gas Order 1924	The whole Order, except the provisions referred to in Parts II and III of this Schedule.
Wakefield Corporation Electricity (Extension) Special Order 1924	The whole Order.
South Yorkshire Electricity Special Order 1924	The whole Order.
Kirkheaton and District Electricity Special Order 1924	The whole Order.
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1925	The whole Act.
Ministry of Health Provisional Order Confirmation (Keighley Water Charges) Act 1925	The whole Act.
Leeds Corporation Act 1925 ...	The whole Act.
Ministry of Health Provisional Orders Confirmation (No. 7) Act 1925	The Birstal Order 1925.
Ministry of Health Provisional Orders Confirmation (No. 8) Act 1925	The Keighley Order 1925.
Bradford Corporation Act 1925 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Yeadon and Guiseley Gas Order 1925 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Brighouse Corporation Gas Order 1925 ...	The whole Order.
Honley Electricity (Extension) Special Order 1925	The whole Order.
Leeds Electricity (Extension) Special Order 1925	The whole Order.
Ministry of Health Provisional Orders Confirmation (No. 1) Act 1926	The Wakefield Order 1926.
Halifax Corporation Act 1926 ...	The whole Act.
Pontefract Corporation Act 1926 ...	The whole Act.
Ministry of Health Provisional Orders Confirmation (No. 4) Act 1926	The Keighley Order 1926.
Ministry of Health Provisional Orders Confirmation (No. 5) Act 1926	The Pontefract Order 1926.
Keighley Water (Modification of Charges) Order 1926	The whole Order.
Knottingley Gas Order 1926 ...	The whole Order.
Halifax and Huddersfield Electricity (Bulk Supply) Special Order 1926	The whole Order.
Baildon and District Electricity Special Order 1926	The whole Order.

Queensbury and District Electricity Special Order 1926	The whole Order.
Bingley Electricity (Extension) Special Order 1926	The whole Order.
Yeadon Waterworks Act 1927 ...	The whole Act.
Yorkshire Electric Power Act 1927 ...	The whole Act.
Leeds Corporation Act 1927 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Horbury Water (Modification of Charges) Order 1927	The whole Order.
Calverley and Horsforth District Gas Order 1927	The whole Order, except the provisions referred to in Parts II and III of this Schedule.
Dewsbury Gas Order 1927 ...	The whole Order.
Ardley Methley and District Electricity Special Order 1927	The whole Order.
Barnoldswick Electricity Special Order 1927 ...	The whole Order.
Ministry of Health Provisional Orders Confirmation (No. 3) Act 1928	The Bingley Order 1928 and the Halifax Order 1928.
Ministry of Health Provisional Orders Confirmation (No. 9) Act 1928	The Bradford Order 1928.
Ministry of Health Provisional Orders Confirmation (No. 10) Act 1928	The County of the West Riding of Yorkshire Order 1928.
Ministry of Health (Halifax and West Riding Provisional Orders) Confirmation Act 1928	The whole Act.
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1928	The whole Act.
Bradford Corporation Act 1928 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ilkley Gas Order 1928 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Otley Gas Order 1928 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Bradford Gas Order 1928 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Ardley Methley and District Electricity (Extension) Special Order 1928	The whole Order.
Airedale District Electricity Special Order 1928	The whole Order.
Ministry of Health Provisional Orders Confirmation (No. 8) Act 1929	The Baildon Order 1929.
Ministry of Health Provisional Orders Confirmation (No. 4) Act 1929	The Morley Order 1929.
Ministry of Health Provisional Orders Confirmation (No. 11) Act 1929	The Halifax Order 1929.
Ministry of Health Provisional Orders Confirmation (No. 12) Act 1929	The Bradford Order 1929, except the provisions mentioned in Part II of this Schedule.
Halifax Corporation Act 1929 ...	The whole Act.
Halifax Water (Modification of Charges) Order 1929	The whole Order.
Ministry of Health Provisional Order Confirmation (Bradford Extension) Act 1930	The whole Act.
Wakefield Corporation Act 1930 ...	The whole Act.

Leeds Corporation Act 1930 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1930	The whole Act.
Ossett Water (Modification of Charges) Order 1930	The whole Order.
Silsden Electricity Special Order 1930 ...	The whole Order.
Cleckheaton and Liversedge Electric Lighting Orders (Amendment) Special Order 1930	The whole Order.
Royston and Brodsworth Gas Act 1931 ...	The whole Act, except the provisions referred to in Parts II and III of this Schedule.
Ministry of Health Provisional Order Confirmation (Yeadon Water) Act 1931	The whole Act.
Brighouse Water (Modification of Charges) Order 1931	The whole Order.
Wharfedale Electricity Special Order 1931 ...	The whole Order.
Public Works Facilities Scheme (Huddersfield Corporation) Confirmation Act 1932	The whole Act, except the provisions referred to in Part III of this Schedule.
Horbury Water (Modification of Charges) Order 1932	The whole Order.
Ilkley Electricity (Extension) Special Order 1932	The whole Order.
Leeds Corporation Tramways Order Confirmation Act 1933	The whole Act.
Dewsbury Corporation Act 1933 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Public Works Facilities Scheme (Huddersfield Corporation) Confirmation Act 1934	The whole Act.
Ministry of Health Provisional Order Confirmation (Shipley) Act 1934	The whole Act.
Ministry of Health Provisional Order Confirmation (Morley) Act 1934	The whole Act.
Bingley Gas Order 1934 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Baildon Urban District Council Act 1935 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Order Confirmation (Morley) Act 1935	The whole Act.
Leeds Gas Order 1935 ...	The whole Order.
Sowerby Gas Order 1935 ...	The whole Order.
Yorkshire Electric Power Act 1936 ...	The whole Act.
Huddersfield Corporation (Trolley Vehicles) Act 1936	The whole Act.
Ministry of Health Provisional Order Confirmation (Leeds) Act 1936	The whole Act.
Leeds Gas Order 1936 ...	The whole Order.
Kirkburton Shelley and Shepley Gas Order 1936	The whole Order, except the provisions referred to in Parts II and III of this Schedule.
Huddersfield Corporation Act 1937 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Order Confirmation (Halifax) Act 1937	The whole Act.

Ministry of Health Provisional Order Confirmation (Yeadon Water) Act 1937	The whole Act.
Leeds Gas Order 1937 ...	The whole Order.
Ministry of Health Provisional Order Confirmation (Halifax) Act 1938	The whole Act.
Ossett Corporation Act 1938 ...	The whole Act.
Wakefield Corporation Act 1938 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Order Confirmation (Keighley) Act 1938	The whole Act.
Ministry of Health Provisional Order Confirmation (Horsforth) Act 1938	The whole Act.
West Yorkshire Gas Distribution Act 1938 ...	The whole Act, except the provisions referred to in Part III of this Schedule.
Ministry of Health Provisional Order Confirmation (Bradford) Act 1939	The whole Act.
Knottingley Gas Order 1939 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Ilkley Gas Order 1939 ...	The whole Order, except the provisions referred to in Part III of this Schedule.
Huddersfield Gas Order 1939 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Order Confirmation (Ilkley) Act 1940	The whole Act.
Huddersfield Corporation (Trolley Vehicles) Order Confirmation Act 1940	The whole Act.
Morley Gas Order 1940 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Order Confirmation (Shipley) Act 1941	The whole Act.
Keighley Gas Order 1941 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Huddersfield Gas Order 1945 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
West Yorkshire Gas Distribution Act 1946 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Spensorborough Gas Order 1947 ...	The whole Order, except the provisions referred to in Part II of this Schedule.
Ministry of Health Provisional Order Confirmation (Huddersfield) Act 1948	The whole Act.
West Riding County Council (General Powers) Act 1948	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Corporation Act 1949 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford Corporation Act 1949 ...	The whole Act.

Halifax Corporation Act 1949 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Extension Act 1950 ...	The whole Act.
Dewsbury (Repeal of Local Enactments) Order 1950	The whole Order.
West Riding County Council (General Powers) Act 1951	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield (Amendment of Local Enactment) Order 1952	The whole Order.
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1953	The whole Act.
Huddersfield Corporation Act 1953 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield Water Order 1953 ...	The whole Order.
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1954	The whole Act.
Wakefield Water (Trunk Mains) Order 1954 ...	The whole Order.
Huddersfield (Amendment of Local Enactments) Order 1954	The whole Order, except articles 5 and 6.
Dewsbury Moor Crematorium Act 1955 ...	The whole Act.
Huddersfield Corporation Act 1956 ...	The whole Act.
Leeds Corporation Act 1956 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Huddersfield Water Order 1956 ...	Sections 4 to 7 and the Schedule.
Bradford Corporation Water Order 1956 ...	The whole Order.
Wakefield Corporation Act 1957 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Wakefield (Amendment of Local Enactments) Order 1957	The whole Order.
Horbury (Repeal of Local Enactments) Order 1957	The whole Order.
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1958	The whole Act, except the provisions referred to in Part III of this Schedule.
Ilkley Water Order 1958 ...	Sections 4 to 9 and Schedule 2.
Bradford Corporation Act 1959 ...	The whole Act.
Halifax Corporation Act 1959 ...	The whole Act.
Craven Water Board Order 1959 ...	Sections 4 to 12, 14 to 31, 33 to 39, Part II of Schedule 1, Schedules 2, 4 and 5, and so much of Schedule 3 as refers to sections 4, 5 and 116 to 118 of and Schedule 1 to the Keighley Waterworks Extension and Improvement Act 1869, section 9 of the Keighley Waterworks and Improvement Act 1872, section 6 of the Keighley Corporation Act 1891 and sections 15, 19 and 28 of the Keighley Corporation Act 1898.



Bradford Corporation Water Order 1960 ... Leeds Water Order 1960 ...	The whole Order. Sections 4 to 15, 17 to 23 and Schedule 3 and so much of Schedule 2 as refers to sections 26, 28, 36 and 37 of the Horsforth Waterworks Act 1865 and section 6 of the Horsforth Waterworks (Extension) Act 1885.
Wakefield Water (No. 2) Order 1960 ... Huddersfield Water Order 1961 ...	The whole Order. The whole Order, except sections 13 and 15.
Calderdale Water Board Order 1961 ...	Sections 4 to 22, 24, 26 to 34 and 38 to 55, Part II of Schedule 1 and Schedules 3, 4, 6, 8 and 9.
Craven Water Board (Carleton Waterworks) Order 1961 Wakefield and District Water Board Order 1961	The whole Order. Sections 4 to 12, 14 to 34 and 36 to 42, Part II of Schedule 1, Schedules 3, 4, and 6 and so much of Schedule 5 as refers to section 72 of the Wakefield County Borough Act 1862 (properly the Wakefield Waterworks Act 1862), section 12 of the Wakefield Improvement Act 1877, sections 26, 27, 38 to 42, 44 and 70 of the Wakefield Corporation Waterworks Act 1880, sections 6, 15, 16 and 28 to 31 of the Wakefield Corporation Act 1889, sections 5, 6 and 9 of the Wakefield Corporation Water Act 1894, sections 6, 19, 20 and 24 of the Wakefield Corporation Act 1916, sections 18, 21 to 31, 33, 34, 42, 43 and 154 of the Wakefield Corporation Act 1924, sections 27 to 30 and 35 to 40 of the Wakefield Corporation Act 1938, the Wakefield Water Order 1953, the Wakefield Water (Trunk Mains) Order 1954, section 11 of the Horbury Local Board Act 1874, sections 6 and 7 and 14 to 16 of the Morley Corporation Water Act 1890, sections 5 to 10, 15, 16 and 20 of the Morley Corporation Act 1905, sections 15, 18 to 22 and 25 of the Morley Corporation Act 1923, section 4 of the Morley Order 1929, sections 16, 19, 20, 21, 78 and 79 of the Ossett-cum-Gawthorpe Local Board Act 1875, section 39 of the Ossett Corporation Act 1914 and

Wakefield and District Water Board (Amendment) Order 1961	sections 4, 7, 8 and 18 of the Ossett Corporation (Water) Act 1922.
Pontefract Goole and Selby Water Board Order 1961	The whole Order.
Craven Water Board Order 1961 ...	Sections 4 to 20, 23, 24, 26, 27, 30 to 44, 46 and 47, Part II of Schedule 1 and Schedules 3, 4 and 6.
Ministry of Housing and Local Government Provisional Order Confirmation (Brighouse) Act 1962	Sections 5, 6 and 8.
Rombalds Water Board Order 1962 ...	The whole Act.
	Sections 4 to 24, 26 and 28 to 48, Parts I and III of Schedule 1, Schedules 3, 5 and 6 and so much of Schedule 4 as refers to sections 5 and 8 of the Baildon Local Board Water Act 1890, article 4 of the Baildon Order 1929, sections 6, 7, 23 and 28 to 30 of and the Schedule to the Baildon Urban District Council Act 1935, sections 13 and 18 of the Ilkley Local Board Act 1871, sections 12 and 52 of the Burley Local Board Waterworks Act 1873, sections 8 and 16 of the Ilkley Local Board Act 1893, section 7 of the Burley-in-Wharfedale Urban District Water Act 1899, sections 49, 50, 54, 56, 81 and 82 of the Menstone Waterworks Act 1899, sections 13 and 14 of the Otley Local Board Act 1885, sections 4, 18 and 40 of the Otley Urban District Council (Waterworks) Act 1900, sections IV and XXI of the Shipley Waterworks and Police Act 1854, section 11 of the Shipley Urban District Council Act 1904, sections 6 and 9 of the Yeadon Waterworks Act 1889, sections 4 and 76 (2) of the Yeadon Waterworks Act 1916, sections 5 and 6 of the Yeadon Waterworks Act 1927 and sections 6, 7, 9 and 10 of the Yeadon Waterworks Order 1937.
Craven Water Board (Kildwick Mains) Order 1962	The whole Order.
Craven Water Board (Salterforth Waterworks) Order 1962	The whole Order.
Bradford Corporation Water Order 1962 ...	The whole Order.
Bradford Corporation (Conditioning House) Act 1963	The whole Act.
Ministry of Housing and Local Government Provisional Order Confirmation (Leeds) Act 1963	The whole Act.
Calderdale Water Board Order 1963 ...	The whole Order.

Craven Water Board (Steeton Pipeline) Order 1963	The whole Order.
Huddersfield Water Order 1963 ...	Sections 3 to 12, 15 to 19 and 21.
Wakefield and District Water Board (No. 2) Order 1963	The whole Order.
West Riding County Council (General Powers) Act 1964	The whole Act.
Huddersfield (Water Charges) Order 1964 ...	The whole Order.
Leeds and Rombalds Water Order 1964 ...	Sections 5 to 11, 14 to 16, 18, 19 and 26 and Schedules 1 and 2.
Calderdale Water Board Order 1964 ...	Sections 4, 5 and 6.
Craven Water Board (General Powers) Order 1964	Sections 4, 5 and 9 and the Schedule.
Huddersfield Corporation Act 1965 ...	Part II.
Rombalds Water Order 1965 ...	The whole Order.
Leeds (Lindley Wood Reservoir) (Amendment) Water Order 1965	The whole Order.
Mid Calder Water Board Order 1965 ...	Sections 4 to 24, 27 to 43 and 50 to 56 and Schedules 1, 3, 5 and 6 and so much of Schedule 4 as refers to sections LXXXV and XCII of the Dewsbury, Batley and Heckmondwike Waterworks Act 1856, section 9 of the Dewsbury, Batley and Heckmondwike Waterworks Amendment Act 1867, sections 8, 15 and 23 of the Batley Corporation Waterworks Act 1871, sections 48, 49, 53 and 87 of the Dewsbury and Heckmondwike Waterworks Act 1876, the Order relating to Dewsbury and Heckmondwike, section 4 of the Dewsbury and Heckmondwike Water Act 1896 and sections 5, 13, 36, 45, 46 and 47 of the Batley Corporation Act 1921.
Leeds Corporation Act 1966 ...	The whole Act.
Calderdale Water Board Order 1966 ...	Sections 6, 7, 8, 9, 10 and 11 and the Schedule.
Rombalds Water Board (Water Charges) Order 1966	The whole Order.
Wakefield and District Water Board Order 1966	The whole Order.
Craven Water Board (Grassington Hospital Waterworks) Order 1966	The whole Order.
Pontefract, Goole and Selby Water Board (No. 2) Order 1966	Section 4.
Craven Water Board (Burton in Lonsdale Waterworks) Order 1966	The whole Order.
Calderdale Water Board (Stansfield View Reservoir and Pipelines) Order 1966	The whole Order.
Wakefield and District Water (Booth Wood Reservoir) Order 1966	Section 15.
Wakefield and District Water Board (Charges) Order 1968	The whole Order.
Rombalds Water Order 1968 ...	The whole Order.
Craven and Fylde (Horton and Martons) Water Order 1968	The whole Order.
Craven Water Board (Hawswick Waterworks) Order 1968	The whole Order.
Wakefield and District Water Board (Victoria Reservoir) Order 1968	The whole Order.

Wakefield and District Water Board Order 1968	The whole Order.
Bradford Water Order 1968 ...	Section 4 and Schedule 3.
Bradford Corporation Act 1969 ...	The whole Act, except the provisions referred to in Part II of this Schedule.
Bradford (Water Charges) Order 1969 ...	The whole Order.
Craven Water Board (Acquisition of Mains) Order 1969	The whole Order.
Huddersfield Water Order 1969 ...	The whole Order.
Craven Water Board (Amendment) Order 1969	In section 2, paragraph (B).
Craven Water Board (Charges) Order 1969 ...	The whole Order.
Huddersfield Corporation Act 1970 ...	The whole Act.
West Riding County Council Act 1970 ...	The whole Act.
Calderdale Water Board (Charges) Order 1970	The whole Order.
Bradford Water (Spenborough) Order 1970 ...	The whole Order, except section 10.
Bradford Corporation Act 1971 ...	The whole Act.
Craven Water Board (Vale Mills Mains) Order 1971	The whole Order.
Craven Water Board (Charges) Order 1971 ...	The whole Order.
Wakefield and District Water Board (Charges) Order 1972	The whole Order.
Mid Calder Water Board (Charges) Order 1972	The whole Order.
Mid Calder Water Board (Winscar Reservoir) Order 1972	Section 16(1).
Craven Water Board (Charges) Order 1973 ...	The whole Order.
Bradford (Water Charges) Order 1973 ...	The whole Order.
Craven Water Board (Acquisition of Clapham Mains) Order 1973	The whole Order.
Craven Water Board (Repeal) Order 1973 ...	The whole Order.

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### Commencement

Sch. 5(I) para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Sch. 5(I) para. 1: England

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## PART II

### ENACTMENTS EXCLUDED FROM REPEAL

✔ Law In Force

<b>(1)</b> <b>Enactment</b>	<b>(2)</b> <b>Provisions excluded</b>
Halifax Improvement Act 1853 ...	Sections XXII to XXXV, XCIV, XCV and XCVI.
ShIPLEY Waterworks and Police Act 1854 ...	Sections V, VII, VIII and X to XX.
Bradford Waterworks Act 1854 ...	Sections XLIII, XLVI to L, LIV, LXVII to XCVII, XCIX, C, CI, CIII, CIV, CXIV, CXVI to CXXXIII, CXXIX, CXXXII to CXXXVIII, CXLII, CXLIII and CXLV.
Bradford Corporation Waterworks Act 1858 ...	Sections VI, XXVIII, XXX to XXXII, XXXIV and XLVI to XLVIII.
Halifax Park and Improvement Act 1858 ...	Section LXIII so far as it relates to the improvement of the approaches to Market Houses.
Halifax Improvement Act 1862 ...	Section 7.
Birstal Gas Act 1865 ...	Section 54.
Horsforth Waterworks Act 1865 ...	Sections 25 and 30 to 35.
Bradford Corporation Act 1866 ...	Sections 21, 22, 27 to 31, 33, 36, 41, 43 and 44.
Bingley Extension and Improvement Act 1867	Section 25 and Schedule B.
Leeds Waterworks Act 1867 ...	Sections 12, 27 and 28.
Yeadon and Guiseley Gas Act 1868 ...	Section 38 and the Schedule.
Calverley and Horsforth District Gas Act 1868	Section 38 and the Schedule.
Halifax Corporation Waterworks and Improvement Act 1868	Sections 32 and 37.
Bradford Waterworks and Improvement Act 1868	Sections 11 and 24.
Ilkley Gas Act 1869 ...	Section 42 and the Schedule.
Cleckheaton Gas Act 1869 ...	Section 46 and the Schedule.
Pontefract Park Trustees and Street Commissioners Act 1869	Section 29.
Huddersfield Water Act 1869 ...	Sections 7, 17, 28, 30 to 32, 35, 42, 43 and 90, Schedule 2 (except sections 28 to 30 of the Act 7 & 8 Geo. 4 c. lxxxiv, and sections 5 and 7 of the Act 8 & 9 Vict. c. lxx) and Schedule 4.
Keighley Waterworks Extension and Improvement Act 1869	Sections 8, 18 to 36 and 38 to 53 and Schedule 2.
Bradford Waterworks Act 1869 ...	Sections 5, 8 to 32 and the Schedule.
Airedale Gas Act 1870 ...	Section 47 and Schedule (A).
Hebden Bridge Gas Act 1870 ...	Section 52 and Schedules A, B and C.
ShIPLEY Gas Act 1870 ...	Section 20 and Schedule 2.
Cleckheaton Local Board Act 1870 ...	Section 17 and Schedule (A)
Leeds Corporation Gas and Improvements, &c. Act 1870	Section 10 and the Schedule.
Ilkley Gas Act 1871 ...	Section 4 and the Schedule.

<b>(1)</b> <b>Enactment</b>	<b>(2)</b> <b>Provisions excluded</b>
Huddersfield Waterworks Act 1871 ...	Section 27.
Batley Corporation Waterworks Act 1871 ...	Sections 7, 24 and 27 to 45.
Ilkley Local Board Act 1871 ...	Sections 12 and 14 to 16.
Bradford Corporation Gas and Improvement Act 1871	Section 20 and Schedule 3.
Todmorden Gas Act 1871 ...	Sections 50 and 55 and Schedules A, B, and C.
Birstal Local Board Act 1872 ...	Section 26 and Schedule 2.
Haworth Local Board of Health Act 1872 ...	Section 7 and Schedules 1 and 3.
Keighley Waterworks and Improvement Act 1872	Sections 12 to 14.
Pontefract Gas Act 1873 ...	Sections 40 and 42 and the Schedule.
Burley Local Board Waterworks Act 1873 ...	Sections 11, 18 and 19.
Dewsbury and Batley Corporations (Gas) Act 1873	Section 33 and Schedule 1.
Bradford Improvement Act 1873 ...	Sections 6 and 10.
Bradford Waterworks and Improvement Act 1875	Sections 7 and 11 and Schedule 3.
Huddersfield Waterworks and Improvement Act 1876	Sections 28, 38, 40, 46, 47 and 58 and Parts I and II of Schedule 1.
Kildwick Parish Gas Act 1876 ...	Section 25 and Schedule 1.
Halifax Water and Gas Extension Act 1876 ...	Section 26 and Schedule 2.
Wakefield Gas Act 1877 ...	Section 9 and the Schedule.
Leeds Improvement Act 1877 ...	Sections 8, 19, 20 and 59, and Schedules 1, 9 and 10.
Bradford Water and Improvement Act 1878 ...	Sections 7, 8, 11 and 12 and Schedule 1.
Normanton Gas Act 1878 ...	Section 47 and the Schedule.
Castleford and Whitwood Gas Act 1878 ...	Section 9 and the Schedule.
Ilkley Gas Act 1879 ...	Section 5 and the Schedule.
Mirfield Gas Act 1879 ...	Section 33 and the Schedule.
Wakefield Corporation Waterworks Act 1880	Sections 13, 22, 29, 30, 33 to 37 and 52.
Huddersfield Improvement Act 1880 ...	Sections 53 and 58.
Yeadon and Guiseley Gas Act 1880 ...	Section 5.
Ackworth, Featherstone, Purston and Sharlston Gas Act 1880	Section 56 and the Schedule.
Bradford Water and Improvement Act 1881 ...	Sections 5, 7, 8 and 11.
Rothwell Gas Act 1882 ...	Sections 55 and 57 and the Schedule.
Todmorden Waterworks Act 1882 ...	Sections 10 to 13, 33 and 37 to 40.
Huddersfield Corporation Act 1882 ...	Section 37.
Dewsbury Improvement Act 1884 ...	Sections 121, 125, 131 and 133.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1884	Article I of and the Schedule to the Order relating to the borough of Bradford.
Bradford Waterworks and Improvement Act 1885	Sections 7, 9, 10 and 18.
Horsforth Waterworks Extension Act 1885 ...	Sections 4 and 16.

<b>(1)</b> <b>Enactment</b>	<b>(2)</b> <b>Provisions excluded</b>
Otley Local Board Act 1885 ...	Sections 6, 28 and 29.
Local Government Board's Provisional Orders Confirmation (Gas) Act 1886	Article VI of and the Schedule to the Marsden Gas Order 1886.
Gas Orders Confirmation (No. 2) Act 1886 ...	Section 21 of and the Schedule to the Honley Gas Order 1886.
Local Government Board's Provisional Orders Confirmation (Gas) Act 1887	Article XI and Schedules 1, 2 and 3 to the Meltham Gas Order 1887.
Pudsey Gas Act 1887 ...	Section 35 and the Schedule.
Local Government Board's Provisional Orders Confirmation (No. 4) Act 1887	The last paragraph of and the Schedule to the Order relating to the district of Sowerby Bridge.
Halifax Corporation Waterworks Act 1888 ...	Sections 6 and 18 to 22.
Yeadon Waterworks Act 1889 ...	Sections 8 and 10.
Morley Gas Act 1889 ...	Section 4 and the Schedule.
Wakefield Corporation Act 1889 ...	Sections 7 and 14.
Gas and Water Orders Confirmation Act 1889	Section 21 of and the Schedule to the Otley Gas Order 1889.
Clayton Allerton and Thornton Gas Act 1890	Sections 7 and 8 and the Schedule.
Baildon Local Board Water Act 1890 ...	Sections 6, 7 and 13.
Huddersfield Corporation Waterworks Act 1890	Sections 17, 19, 22, 26 to 28 and 30.
Morley Corporation Water Act 1890 ...	Sections 8, 12, 13, 18 to 20 and 23.
Bradford Corporation Waterworks Act 1890 ...	Sections 9, 17, 18, 21, 27 to 39 and 41 to 43 and the Schedule.
Keighley Corporation Act 1891 ...	Section 16.
Bradford Corporation Waterworks Act 1892 ...	Sections 8, 16, 17, 19, 20 and 22.
Local Government Board's Provisional Orders Confirmation (No. 9) Act 1892	Article III of the Order relating to the borough of Halifax.
Ilkley Local Board Act 1893 ...	Sections 13, 18 and 24.
Todmorden Local Board Gas Purchases Act 1893	Section 18 and Schedule 5.
Leeds Improvement Act 1893 ...	Section 14 and Schedule 1.
Hebden Bridge Gas Act 1894 ...	Section 26 and the Schedule.
Gas and Water Orders Confirmation Act 1895 Session 2	Sections 10 and 12 of and Schedule A to the Rothwell Gas Order 1895.
Brighouse Corporation Act 1895 ...	Section 17 and Schedule 2.
Huddersfield Corporation Act 1897 ...	Sections 11 and 12 and Schedule 1.
Bradford Tramways and Improvement Act 1897	Sections 28, 29 and 31.
Morley Corporation (Gas &c.) Act 1898 ...	Section 18 and Schedule 2.
Gas Orders Confirmation (No. 2) Act 1898 ...	Sections 18 and 23 of and Schedule A to the Crossgates Halton and Seacroft Gas Order 1898.
Todmorden Corporation Water Act 1898 ...	Section 28.
Burley-in-Wharfedale Urban District Water Act 1899	Sections 13, 14 and 22.
Menstone Waterworks Act 1899 ...	Sections 53 and 55.





<b>(1)</b> <b>Enactment</b>	<b>(2)</b> <b>Provisions excluded</b>
Wakefield Corporation Act 1916 ...	Sections 11 and 13 to 18.
Yeadon Waterworks Act 1916 ...	Sections 8, 10, 17 and 78 and Schedules 1 and 2.
Huddersfield Corporation Gas Act 1919 ...	Section 14 and Schedule 4.
Halifax Corporation Act 1920 ...	Section 32.
Batley Corporation Act 1921 ...	Sections 14, 15, 16, 17, 18 and 91.
Halifax Corporation Act 1922 ...	Sections 22 and 24.
Halifax Corporation Act 1924 ...	Section 14.
Wakefield Corporation Act 1924 ...	Sections 32, 35, 36, 42, 44 and 146.
Castleford Gas Order 1924 ...	Section 7 and the Schedule.
Bradford Corporation Act 1925 ...	Sections 7, 8, 10 to 12 and 14 to 17.
Yeadon and Guiseley Gas Order 1925 ...	Section 5 and the Schedule.
Leeds Corporation Act 1927 ...	Schedule 6.
Calverley and Horsforth District Gas Order 1927 ...	Section 5 and the Schedule.
Bradford Corporation Act 1928 ...	Section 39.
Bradford Gas Order 1928 ...	Section 4 and the Schedule.
Ministry of Health Provisional Orders Confirmation (No. 12) Act 1929	Article 3 of the Bradford Order 1929.
Leeds Corporation Act 1930 ...	Section 15 (3), 18 and 34 (2).
Royston and Brodsworth Gas Act 1931 ...	Section 57 and Schedule 2.
Dewsbury Corporation Act 1933 ...	Sections 9 and 32.
Bingley Gas Order 1934 ...	Section 12 and Schedule 2.
Baildon Urban District Council Act 1935 ...	Section 12.
Kirkburton Shelley and Shepley Gas Order 1936	Section 30 and Schedule 3.
Huddersfield Corporation Act 1937 ...	Sections 34, 36 to 43.
Wakefield Corporation Act 1938 ...	Sections 31, 32, 38 and 162 (1) and (2).
Knottingley Gas Order 1939 ...	Section 4 and the Schedule.
Huddersfield Gas Order 1939 ...	Sections 18, 22 and 23 and Schedules 7 and 8.
Morley Gas Order 1940 ...	Section 23 and Part III of Schedule 4.
Keighley Gas Order 1941 ...	Section 6 and Schedule 2.
Huddersfield Gas Order 1945 ...	Section 4 and the Schedule.
West Yorkshire Gas Distribution Act 1946 ...	Section 6 and the Schedule.
Spenborough Gas Order 1947 ...	Section 5 and the Schedule.
West Riding County Council (General Powers) Act 1948	Section 8 (3).
Huddersfield Corporation Act 1949 ...	Section 28 (2).
Halifax Corporation Act 1949 ...	Section 39.
West Riding County Council (General Powers) Act 1951	Section 25.
Huddersfield Corporation Act 1953 ...	Section 55.
Leeds Corporation Act 1956 ...	Sections 55 and 108 (1), (3), (4) and (5), Parts XII and XIII and section 280 (6) and (7).


(1) Enactment	(2) Provisions excluded
Wakefield Corporation Act 1957 ...	Section 16 (6), (7) and (8).
Bradford Corporation Act 1969 ...	Sections 88 (1) and 113 (1) and so much of section 117 and Schedule 1 as relates to section 44 of the Bradford Corporation Act 1886.

**Commencement**

Sch. 5(II) para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 5(II) para. 1: England

**PART III****ENACTMENTS FOR THE BENEFIT OF THE BRITISH RAILWAYS BOARD EXCLUDED FROM REPEAL**
 Law In Force

(1) Enactment	(2) Provisions excluded
Huddersfield Gas Act 1861 ...	Section XLI.
Birstal Gas Act 1865 ...	Section 56.
Horsforth Waterworks Act 1865 ...	Sections 36 and 37.
Huddersfield Water Act 1869 ...	Sections 33 and 34.
Batley Corporation Waterworks Act 1871 ...	Sections 16 to 21.
Birstal Local Board Act 1872 ...	Section 100.
Pontefract Gas Act 1873 ...	Section 50.
Dewsbury and Batley Corporations (Gas) Act 1873	Sections 29 and 30.
Normanton Gas Act 1878 ...	Section 45.
Castleford and Whitwood Gas Act 1878 ...	Section 58.
Wakefield Corporation Waterworks Act 1880 ...	Sections 23 and 24.
Ackworth, Featherstone, Purston and Sharlston Gas Act 1880	Section 57.
Rothwell Gas Act 1882 ...	Section 56.
Horsforth Waterworks Extension Act 1885 ...	Section 8.
Gas Orders Confirmation (No. 2) Act 1886 ...	Section 22 of the Honley Gas Order 1886.
Gas and Water Orders Confirmation Act 1889	Section 24 of the Otley Gas Order 1889.


<b>(1)</b> <b>Enactment</b>	<b>(2)</b> <b>Provisions excluded</b>
Morley Corporation Water Act 1890 ...	Sections 9, 10 and 17.
Keighley Corporation Act 1891 ...	Section 17.
Wakefield Corporation Water Act 1894 ...	Section 10.
Gas and Water Orders Confirmation Act 1895 Session 2	Section 13 of the Rothwell Gas Order 1895.
Dewsbury and Heckmondwike Water Act 1896	Section 7.
Morley Corporation (Gas, &c.) Act 1898 ...	Section 19.
Gas Orders Confirmation (No. 2) Act 1898 ...	Section 24 of the Crossgates Halton and Seacroft Order 1898.
Keighley Corporation Act 1898 ...	Section 34.
Gas and Water Orders Confirmation Act 1900	Sections 17 and 18 of the South Elmsall, South Kirkby and North Elmsall Gas Order 1900.
Halifax Corporation Act 1900 ...	Sections 78, 79 and 94.
Mirfield Gas Act 1906 ...	Section 42.
Todmorden Corporation Act 1906 ...	Section 23.
Heckmondwike and Liversedge Gas Act 1909	Section 17.
Wakefield Gas Act 1912 ...	Sections 10 to 12.
Gas Orders Confirmation (No. 1) Act 1912 ...	Section 40 of the Knottingley Gas Order 1912.
Ossett Corporation Act 1914 ...	Section 134.
Huddersfield Corporation Gas Act 1919 ...	Sections 33 and 34.
Ossett Corporation (Gas) Order 1921 ...	Sections 4 and 5.
Elland Gas Order 1921 ...	Section 12.
Spenborough Urban District Council Gas Order 1921	Section 33.
Morley Corporation Act 1923 ...	Sections 23 and 24.
Birstall Gas Order 1924 ...	Section 22.
Castleford Gas Order 1924 ...	Section 43.
Bradford Corporation Act 1925 ...	Sections 39, 40 and 42.
Calverley and Horsforth District Gas Order 1927	Section 46.
Ilkley Gas Order 1928 ...	Section 15.
Otley Gas Order 1928 ...	Sections 40 and 41.
Royston and Brodsworth Gas Act 1931 ...	Section 94.
Public Works Facilities Scheme (Huddersfield Corporation) Confirmation Act 1932	Section 15 of the Huddersfield Corporation (Tramway and Trolley Vehicle) Scheme 1932.
Kirkburton Shelley and Shepley Gas Order 1936	Section 57.
West Yorkshire Gas Distribution Act 1938 ...	Section 75.
Ilkley Gas Order 1939 ...	Section 4 (3).
Bradford Corporation (Trolley Vehicles) Order Confirmation Act 1958	Section 5 of the Bradford Corporation (Trolley Vehicles) Order 1958.

**Commencement**

Sch. 5(III) para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 5(III) para. 1: England

**PART IV****ENACTMENTS FOR THE BENEFIT OF THE BRITISH WATERWAYS BOARD AND OTHERS EXCLUDED FROM REPEAL**
 Law In Force

<b>(1)</b> <b>Enactment</b>	<b>(2)</b> <b>Provisions excluded</b>
Horbury Local Board Act 1874 ...	Section 56.
Leeds Improvement Act 1877 ...	Section 33.
Normanton Gas Act 1878 ...	Section 46.
Castleford and Whitwood Gas Act 1878 ...	Section 59.
Wakefield Corporation Waterworks Act 1880 ...	Section 25.
Dewsbury and Heckmondwike Water Act 1896	Section 8.
Yorkshire Electric Power Act 1901 ...	Section 43.

**Commencement**

Sch. 5(IV) para. 1: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

**Extent**

Sch. 5(IV) para. 1: England

**SCHEDULE 6****SAVING PROVISIONS****Section 95.**

✓ Law In Force

## 1.—

(1) Notwithstanding the repeal by this Act of enactments continued in force by the Water Act 1973 relating to functions exercisable by the water authority for or in connection with the supply of water within their area—

(a) the water authority may continue and maintain all waterworks authorised by or acquired under those enactments as if this Act had not been passed; and

(i) for the purposes of section 3 of Schedule 3 to the Water Act 1945, the said waterworks shall be deemed to be authorised by, and the lands on which those works are constructed shall be deemed to be specified in, an enactment which is for the time being in force; and

(ii) for the purposes of section 36 of the Water Resources Act 1963, the said waterworks shall be deemed to be authorised by virtue of such an alternative statutory provision as is therein referred to;

(b) the water authority may take any water which may be taken or intercepted by any of the said waterworks under and in accordance with any licences granted under Part IV of the Water Resources Act 1963 and expressed by reference to any of the said enactments repealed by this Act.

(2) Notwithstanding the repeal by this Act of enactments continued in force by the Water Act 1973 relating to any other functions exercisable by the water authority, the water authority may continue and maintain all works authorised by those enactments as if this Act had not been passed.

---

### Commencement

Sch. 6 para. 1(1)-(2): October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Sch. 6 para. 1-(2): England

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✓ Law In Force

## 2.

Nothing in the foregoing provisions of this Schedule shall prejudice or affect any provision made, or which may be made, in any order under section 254 of the Act of 1972 as extended by section 34 of the Water Act 1973.

---

### Commencement

Sch. 6 para. 2: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

### Extent

Sch. 6 para. 2: England

---

✔ Law In Force

### 3.

Where any enactment referred to in Part I of Schedule 5 to this Act is material for the purposes of interpreting any enactment referred to in Part II, Part III or Part IV of that Schedule, the repeal of the first-mentioned enactment shall not affect the interpretation of the other enactment.

---

#### Commencement

Sch. 6 para. 3: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 6 para. 3: England

---

✔ Law In Force

### 4.

The repeal by this Act of any enactment shall not affect the operation of any byelaw, registration or licence made or issued under that enactment if the byelaw, registration or licence is one which could be made or issued under any provision of this Act and any such byelaw, registration or licence shall have effect as if made or issued under this Act.

---

#### Commencement

Sch. 6 para. 4: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 6 para. 4: England

---

✔ Law In Force

### 5.

The mention of particular matters in this Schedule shall not be held to prejudice or affect the general application of sections 15 to 17 of the Interpretation Act 1978.

---

#### Commencement

Sch. 6 para. 5: October 1, 1980 (1980 c. xiv Pt I s. 1(2))

#### Extent

Sch. 6 para. 5: England

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# Good rule and governance byelaw

Byelaws for the good rule and government of the city of Leeds.

(For the prevention of dogs fouling footways and mud etc. Falling from vehicles on highways).

Byelaws for the good rule and government of the City of Leeds and for the prevention of nuisances made by the Council of the City in pursuance of Section 235 of the Local Government Act 1972.

## 1. Music near houses

No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 metres of any dwellinghouse or office, after being requested to desist by any resident or occupant thereof, either personally or through any person acting on his behalf, or through a constable, on account of the interruption of the ordinary occupations or pursuits of any such resident or occupant or for other reasonable and sufficient cause: Provided that this byelaw shall not apply to properly conducted religious services, except where the request to desist is made on the ground of the serious illness of any resident of the house.

## 2. Music near churches

No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 metres of any place of public worship or public entertainment or other place of public assembly in which persons are for the time being assembled, to the annoyance or disturbance of any person or persons so assembled, after being requested to desist by any constable, or by any person so annoyed or disturbed, or by any person acting on his behalf.

## 3. Music near hospitals

No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 metres of any hospital

sing in any street or public place within 100 metres of any hospital, infirmary, convalescent home, or other place used for the reception or treatment of the sick, after being requested to desist by any constable, or by any patient or officer of such hospital or other place, or by any person acting on his behalf.

## **4. Noisy hawking**

No person shall, for the purpose of hawking, selling, distributing or advertising any article, shout or use any bell, gong, or other noisy instrument in any street or public place so as to cause annoyance to the inhabitants of the neighbourhood.

## **5. Noisy conduct at night**

No person shall in any street or public place between the hours of 23.00 and 06.00 wantonly and continuously shout or otherwise make any loud noise to the disturbance or annoyance of residents.

## **6. Touting**

No person shall in any street or public place for the purpose of selling or advertising any article or obtaining custom tout or importune to the annoyance or obstruction of passengers.

## **7. Shooting-galleries**

No person shall in any street or public place, or on any land adjoining or near to any street or public place, keep or manage, or cause to be kept or managed, a shooting-gallery, swing-boat, roundabout, or any other construction of a like character, so as to cause obstruction or danger to the traffic in such street or public place.

## **8. Fireworks etc, in place of entertainment**

No person shall, with intent to cause annoyance or inconvenience to any person in any place of entertainment to which the public are admitted with or without the payment of money, while the public are on the premises, throw or let off any firework, stink-bomb or similar article, or squirt, spray or otherwise throw or scatter any offensive liquid, powder or substance in any such place as aforesaid.

## 9. Loitering at church doors

No person shall wilfully and persistently loiter at or near the entrance of any church, chapel or other place of public worship to the annoyance or obstruction of any persons going to, attending at, or returning from divine service in such church, chapel, or other place of public worship.

## 10. Preservation of road margins

(1) No person shall without lawful authority drive or place a vehicle (other than a heavy commercial vehicle, as defined by section 36A of the Road Traffic Act 1972) or cause a vehicle to be driven or placed, upon any road margin to which this byelaw applies.

(2) This byelaw applies to any road margin which is:

(i) in or beside a public road other than a trunk road vested in the Secretary of State;

(ii) laid or sown with grass or planted with trees, shrubs or plants, and maintained constantly in good order for ornamental purposes; And

(iii) indicated to be a margin to which this byelaw applies by means of notices conspicuously displayed on or near the said margin by the Council.

## 11. Mud, etc, falling from vehicles to the highway

(1) When, to the knowledge of a person in charge of a vehicle, any mud, clay, lime or similar material has fallen on a highway from the vehicle, such person shall, if such fallen material is likely to cause obstruction or danger to persons using the highway or injury to the surface of the highway, remove or cause to be removed all such fallen material from the highway as completely and as soon as is reasonably practicable.

(2) The person in charge of a vehicle shall not bring the vehicle or permit it to be brought upon a highway unless there has been removed from the wheels thereof as completely as is reasonably practicable all mud, clay, lime and similar material which is likely, if not so removed, to cause obstruction or danger to persons using the highway or injury to the surface of the highway.

(3) In this byelaw -

- "the person in charge of a vehicle" means the person who whether as owner or otherwise has the charge or control of a vehicle or being present is entitled to give orders to the person having charge or control;

- "vehicle" includes any trailer and any agricultural implement or machine.

"wheels" includes axles, runners and tracks

## 12 Dangerous games near streets

No person shall on any land adjoining a street play any offensive or dangerous game in such a manner as to cause obstruction to the traffic or danger to any person in such street.

## 13. Spitting

No person shall spit on the floor, side or wall of any public carriage or of any public hall, public waiting-room or place of public entertainment, whether admission thereto be obtained upon payment or not.

## 14. Bulls

No person shall drive or lead, or cause to be driven or led, in any street or public place, any bull exceeding the age of ten months, unless it be properly secured and kept under proper control.

## 15. Dog fouling

(1) No person in charge of a dog shall allow the dog to foul a footway or grass verge (being a footway or grass verge to which this byelaw applies) by depositing its excrement thereon.

This byelaw applies to:

(a) the footway of any highway or any public place; and

(b) a grass verge which is not more than three metres in width and is:

(i) adjacent to the carriageway or footway of a highway

(ii) managed by a Local Authority and maintained in good order

Provided that in proceedings for an offence against this byelaw it shall be a

defence for a person charged to prove that he took all reasonable

offence for a person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(2) For the purpose of this byelaw the owner of the dog shall be deemed in charge thereof, unless the Court is satisfied that at the time when the dog fouled the footway or grass verge it had been placed in or taken into the charge of some other person.

## **16. Skateboards**

No person shall on any public carriageway or footway skate on rollers or wheels or other mechanical contrivances to the danger of other persons lawfully using the carriageway or footway.

## **17. Noise**

Between the hours of 8 am and 9 pm no person shall by operating or causing or suffering to be operated, any wireless set, gramophone, amplifier or similar instrument in any street or public place, make or cause or suffer to be made any noise which is so loud and so continuous or repeated as to give reasonable cause for annoyance to other persons.

## **18. Urinating**

No person shall urinate or defecate in any street or public place.

## **19. Sale of contraceptives in slot machines**

(1) It shall be an offence to offer a contraceptive for sale by means of any automatic machine so placed that it can be used by persons who are in a street.

(2) In this byelaw the expression "street" includes a way or place over which the public have a right of passage and also the forecourt of or entrance to a building, provided that such forecourt or entrance is exposed to the view of persons passing along the street, and that the public have unrestricted access to such forecourt or entrance.

## **20. Penalty clause**

Any person offending against any of the foregoing byelaws shall be liable

on summary conviction to a fine not exceeding fifty pounds.



on summary conviction to a fine not exceeding fifty pounds.

## Repeals

From and after the date on which these byelaws come into operation, all byelaws for good rule and government made by the Local Authorities which administered the area of Leeds City Council prior to the 1st April 1974 together with all byelaws for good rule and government made by the Leeds City Council after 1st April 1974 shall, so far as the area now administered by Leeds City Council is concerned, be and are hereby repealed.

The common seal of Leeds City Council was hereunto affixed on the Eighteenth day of November 1983

G E Mudie Seal Chairman of the Policy and Resources Committee

J Rawnsley Director of Administration

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 29th day of February 1984

Signed by authority of the Secretary of State.

 Print page

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# AINSTY (2008) INTERNAL DRAINAGE BOARD

## BYELAWS

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Common Seal  
Penalty Note

Amended May 2021

## **AINSTY (2008) INTERNAL DRAINAGE BOARD BYELAWS**

The Ainsty (2008) Internal Drainage Board (“the Board”) under and by virtue of the powers and authority vested in them by section 66 of the Land Drainage Act 1991, do hereby make the following Byelaws which are considered necessary for [one or more of] the following purposes:-

- a) securing the efficient working of the drainage system in their District,
- b) regulating the effects on the environment in the Board’s district of a drainage system, or
- c) securing the effectiveness of flood risk management work within the meaning of section 14A of the Act,

together, “the Purposes”;-

### **1. Commencement of Byelaws**

These Byelaws shall come into operation at the expiration of one month beginning with the day on which they are confirmed by the Secretary of State.

### **2. Application of Byelaws**

- (a) These Byelaws shall have effect within the District;
- (b) the watercourses referred to in these Byelaws are watercourses and drainage works which are for the time being vested in or under the control of the Board.

### **3. Control of Introduction of Water and Increase in Flow or Volume of Water**

No person shall for any purpose, including as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended (“the 1990 Act”)) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District [Area] so as to directly or indirectly increase the flow or volume of water in any watercourse in the District [Area] (without the previous consent of the Board).”

### **4. Control of Sluices etc**

Any person having control of any sluice, water control structure or appliance for introducing water into any watercourse in the District or for controlling or regulating or affecting the flow of water in, into or out of any watercourse shall use and maintain such sluice, water control structure or appliance in accordance with such reasonable directions as may from time to time be given by the Board with a view to securing or furthering one or more of the Purposes.

### **5. Fishing Nets and Angling**

No person shall angle or set any nets or engines for the catching or keeping of fish in any watercourse in such a manner as to cause damage to or endanger the stability of the bank of the watercourse or to affect or impede the flow of water.

In this Byelaw "nets" includes -

- (a) a stake net, bag net or keep net;
- (b) any net secured by anchors and any net, or other implement for taking fish, fixed to the soil or made stationary in any other way;
- (c) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

6. **Diversion or Stopping up of Watercourses**

No person shall, without the previous consent of the Board, take any action, or knowingly permit or aid or abet any person to take any action to stop up any watercourse or divert or impede or alter the level of or direction of the flow of water in, into or out of any watercourse.

7. **Detrimental Substances not to be Put into Watercourses**

No person shall, so as directly or indirectly to obstruct, impede or interfere with the flow of water in, into or out of any watercourse or so as to damage the bank -

- (a) discharge or put or cause or permit to be discharged or put or negligently or wilfully cause or permit to fall into any watercourse any object or matter of any kind whatsoever whether solid or liquid;
- (b) allow any such object or matter as is referred to in sub-paragraph (a) of this Byelaw to remain in proximity to any watercourse in such manner as to render the same liable to drift or fall or be carried into any watercourse.

Provided that nothing in this Byelaw shall be deemed to render unlawful the growing or harvesting of crops in accordance with normal agricultural practice.

8. **Lighting of Fires**

No person shall light or cause or permit to be lighted or commit any action liable to cause to be lighted any fire on any land adjoining the watercourse where such action is liable to set on fire the peat land forming the banks of the watercourse or any vegetation including trees, growing on land forming the banks of the watercourse.

9. **Notice to Cut Vegetation**

Any person having control of any watercourse shall, upon the receipt of a notice served on him by the Board requiring him so to do, cut down and keep cut down all vegetation, including trees, growing in or on the bank of a watercourse, within such reasonable time as may be specified in the notice, and shall remove such vegetation including trees, from the watercourse immediately after the cutting thereof.

Provided that, where a hedge is growing on the bank of a watercourse, nothing in this Byelaw shall require more than the pruning of the hedge so as to prevent it from growing over or into the watercourse, and the removal of the resultant cuttings.

10. **No Obstructions within 9 Metres of the Edge of the Watercourse**

No person without the previous consent of the Board shall erect any building or structure (including a fence), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the landward toe of the bank where there is an embankment or wall or within 9 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 9 metres of the enclosing structure.

11. **Repairs to Buildings**

The owner of any building or structure in or over a watercourse or on the banks thereof shall, upon receipt of a notice from the Board that because of its state of disrepair -

- (a) the building or structure is causing or is in imminent danger of causing an obstruction to the flow of the watercourse, or
- (b) the building or structure is causing or is in imminent danger of causing damage to the bank of the watercourse,

carry out such reasonable and practicable works as are specified in the notice for the purpose of remedying or preventing the obstruction or damage as the case may be within such reasonable time as is specified in the notice.

12. **Control of Vermin**

The occupier of any bank of a watercourse or any part thereof shall, upon being required by the Board by notice, within such reasonable time as may therein be specified, take such steps as are specified in the notice, being such steps as the Board consider necessary and practicable for preventing the bank from becoming infested by rabbits, rats, coypu, foxes and moles or any other wild mammal not being an animal listed in Schedule 5 or Schedule 6 to the Wildlife and Countryside Act 1981, but excluding the water vole from such control.

13. **Damage by Animals to Banks**

All persons using or causing or permitting to be used any bank of any watercourse for the purpose of grazing or keeping any animal thereon shall take such steps including fencing as are necessary and reasonably practicable and shall comply with such reasonable directions as may from time to time be given by the Board to prevent the bank or the channel of the watercourse from being damaged by such use.

Provided that nothing in this Byelaw shall be deemed to affect or prevent the use of, for the purpose of enabling animals to drink at it, any place made or to be made or constructed as approved by the Board.

14. **Vehicles not to be Driven on Banks**

No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.

15. **Banks not to be Used for Storage**

No person shall use or cause or permit to be used any bank of any watercourse for the purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Board or the right of the Board to deposit spoil on the bank of the watercourse.

16. **Not to Dredge or Raise Gravel, Sand etc**

No person shall without the previous consent of the Board dredge or raise or take or cause or permit to be dredged or raised or taken any gravel, sand, ballast, clay or other material from the bed or bank of any watercourse.

17. **Fences, Excavations, Pipes etc**

No person shall without the previous consent of the Board -

- (a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse;
- (b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;
- (c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;
- (d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;

- (e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.

18. **Tidal Outfalls**

No person shall place or cause to be placed or abandon or cause to be abandoned upon the foreshore any trees, roots of trees, branches, timber, tins, bottles, boxes, tyres, bricks, stones, soil, wire, rubbish or other object or matter whatsoever which (whether immediately or as a result of subsequent tidal action) may impede or be likely to impede the flow of water through the sluices or outfall pipes through the tidal banks or through the watercourses on such foreshore or impede or be likely to impede the operation of such sluices or outfall pipes or may cause or be likely to cause damage thereto.

19. **Interference with Sluices**

No person shall without lawful authority interfere with any sluice, or other water control structure or appliance for controlling or regulating the flow of water in, into or out of a watercourse.

20. **Mooring of Vessels**

No person shall moor or place any vessel in any watercourse or to or upon the bank of any watercourse in such manner or by such method as to cause or be likely to cause injury to such bank or in such manner as materially to obstruct or impede the free flow of water in, into or out of any watercourse.

21. **Unattended Vessels**

No person shall leave any vessel unattended without taking due care to prevent such vessel from materially obstructing or impeding the free flow of water in, into or out of any watercourse or any sluice in any bank.

22. **Removal of Sunken Vessels**

No person who is the owner of a vessel sunk, stranded, damaged or adrift in a watercourse or, in the case of a sunken vessel which is abandoned, who was the owner immediately before the abandonment shall, after ten days from the day on which the Board serves on him notice in writing that the vessel is causing obstruction, permit the vessel to remain in the watercourse in such a manner as to impede or harmfully divert the flow of water in, into or out of the watercourse.

23. **Navigation of Vessels**

No person shall navigate any vessels in such a manner or at such a speed as to injure the bank of any watercourse and where the Board have by notice erected at any place limited the speed of vessels passing such place no person shall navigate a vessel at a speed over the bed of the watercourse greater than the speed so limited.

Provided that the Board shall not exercise their powers under this Byelaw so as to limit the speed of -

- (a) vessels in any tidal waters except after consultation with the Department for Transport, or
- (b) vessels navigating waterways of the Canal and River Trust for which speed limits are prescribed by the Byelaws of such Trust.

24. **Damage to Property of the Board**

No person shall interfere with or damage any bank, bridge, building, structure, appliance or other property of or under the control of the Board.

25. **Defacement of Notice Boards**

No person shall deface or remove any notice board, notice or placard put up by the Board.

26. **Obstruction of the Board and Officers**

No person shall obstruct or interfere with any member, officer, agent or servant of the Board exercising any of his functions under the Act or these Byelaws.

27. **Savings for Other Bodies**

Nothing in these Byelaws shall -

- (a) conflict with or interfere with the operation of any Byelaw made by the Environment Agency or of any navigation, harbour, conservancy or local authority but no person shall be liable to more than one penalty or in the case of a continuing offence more than one daily penalty in respect of the same offence;
- (b) restrict, prevent, interfere with or prejudice the exercise of any statutory rights or powers which are now or hereafter may be vested in or exercised by -
  - (i) any public utility undertaking carried on by a local authority under any Act or under any Order having the force of an Act;
  - (ii) the undertakings of the Environment Agency and of any water undertaker or sewerage undertaker;
  - (iii) any public gas transporter within the meaning of part I of the Gas Act 1986;



- (iv) any navigation, harbour or conservancy authority;
  - (v) any person who acts as the operator of a relevant railway asset, with respect to the construction, use or maintenance and repair of any such asset, or the free, uninterrupted and safe use of any such asset and the traffic (including passengers) thereof;
  - (vi) any local authority;
  - (vii) any highway authority for the purposes of the Highways Act 1980 (as amended by any subsequent enactment) in relation to any highway whether or not maintainable at public expense;
  - (viii) any undertaking engaged in the operation of a telecommunications system;
  - (ix) a relevant airport operator within the meaning of Part V of the Airports Act 1986;
  - (x) the Civil Aviation Authority and any subsidiary thereof;
  - (xi) the Canal and River Trust;
  - (xii) the Coal Authority;
- (c) restrict, prevent, interfere with or prejudice any right of a highway authority to introduce into any watercourse surface water from a highway, for which it is the highway authority;
  - (d) restrict, prevent, interfere with or prejudice any right of a licence holder within the meaning of Part I of the Electricity Act 1989 to do anything authorised by that licence or anything reasonably necessary for that purpose;
  - (e) affect any liability arising otherwise than under or by reason of these Byelaws.

28. **Saving for Crown Lands**

- (a) Nothing in these Byelaws shall operate to prevent the removal of any substance on, in or under (or the erection of any structure, building or machinery or any cable, wire or pipe on, over or under) lands belonging to Her Majesty in right of the Crown by any person thereunto authorised by the Crown Estate Commissioners.
- (b) Nothing contained in any of the foregoing byelaws should be deemed to be or shall operate as a grant by or on behalf of the Crown as owner of the foreshore below high water mark of any estate or interest in or right over such foreshore, or any part thereof, nor shall anything contained in or done under any of the provisions of the foregoing byelaws in any respect prejudice or injuriously affect the rights and interests of the Crown in such foreshore, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable by any person in over and in respect of the seashore.

29. **Arbitration**

- (a) Where by or under any of these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board, he may within 21 days after the service of such notice on him give to the Board a counter-notice in writing objecting to either the reasonableness of or the necessity for such requirement or directions, and in default of agreement between such person and the Board the dispute shall, when the person upon whom such notice was served is a drainage or local authority be referred to the Secretary of State whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party. Where such a counter-notice has been given to the Board the operation of the notice shall be suspended until either agreement has been reached or the dispute has been determined by arbitration in accordance with the provisions of this Byelaw;
- (b) where by or under these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board and any dispute subsequently arises as to whether such work has been executed or such directions have been complied with, such dispute if it arises between a drainage authority or local authority and the Board shall be referred to the Secretary of State whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party;
- (c) where by or under Byelaws 3, 6, 10, 16 or 17 any person is required to refrain from doing any act without the consent of the Board such consent shall not be unreasonably withheld and may be either unconditional or subject to such reasonable conditions as the Board may consider appropriate and where any dispute arises as to whether in such a case the consent of the Board is being unreasonably withheld, or as to whether any conditions subject to which consent is granted are unreasonable, such dispute shall if it arises between a drainage authority or local authority and the Board be referred to the Secretary of State whose decision shall be final, and in any other case such dispute shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party.

30. **Notices**

Notices and any other documents required or authorised to be served or given under or by virtue of these Byelaws shall be served or given in the manner prescribed by section 71 of the Act.

31. **Limitation**

- (a) Nothing in these Byelaws shall authorise the Board to require any person to do any act, the doing of which is not necessary for securing or furthering one or more of the Purposes or to refrain from doing any act, the doing of which does not affect the environment or adversely affect either the efficient working of the drainage system of the District or the effectiveness of flood risk management within the District.
- (b) If any conflict arises between these Byelaws and
- (i) sections 61A to E of the Land Drainage Act 1991 (which relates to the Board's duties with respect to the environment), or
  - (ii) the Conservation of Habitats and Species Regulations 2017, as amended<sup>1</sup>
- the said Act and the said Regulations shall prevail.

32. **Revocation**

The Byelaws made by the Board on the 6<sup>th</sup> day of March 2014 are hereby revoked.

33. **Interpretation**

In these Byelaws, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

"the Act" means the Land Drainage Act 1991;

"Animal" includes any horse, cattle, sheep, deer, goat, swine, goose or poultry;

"Bank" includes any bank, cross bank, wall or embankment adjoining or confining or constructed for the purpose of or in connection with any watercourse and includes all land between the bank and the low water mark or level of the water in the watercourse as the case may be and where there is no such bank, cross bank, wall or embankment includes the top edge of the batter enclosing the watercourse;

"Board" means the Ainsty (2008) Internal Drainage Board;

"Consent of the Board" means the consent of the Board in writing signed by the Clerk for the time being of the Board or other duly authorised officer;

"District" means the area under the jurisdiction of the Board;

"Occupier" means in the case of land not occupied by any tenant or other person the person entitled to the occupation thereof;

"Owner" includes the person defined as such in the Public Health Act 1936;

"Relevant Railway Asset" means

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<sup>1</sup> SI 2017/1012

- (a) a network, operated by an “approved operator” within the meaning of section 25 of the Planning Act 2008,
- (b) a station which is operated in connection with the provision of railway services on such a network,

or

- (c) a light maintenance depot

Expressions used in this definition and in the Railways Act 1993 have the same meaning in this definition as they have in that Act,( “railway” not having its wider meaning) and a network such as is described in (a) above shall not cease to be such a network where it is modified by virtue of having any network added to it or removed from it.

“The Secretary of State” means the Secretary of State for Environment, Food and Rural Affairs;

“Vegetation” means trees, willows, shrubs, weeds, grasses, reeds, rushes or other vegetable growths;

"Vessel" includes any ship, hovercraft (as defined by the Hovercraft Act 1968), lighter, keel, barge, tug, launch, houseboat, pleasure or other boat, aircraft, randan, wherry, skiff, dinghy, shallop, punt, yacht, canoe, raft, float of timber or any other craft whatsoever, and howsoever worked, navigated or propelled;

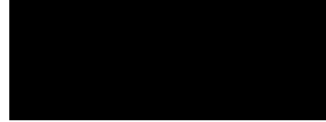
“Water control structures” means a structure or appliance for introducing water into any watercourse and for controlling or regulating or affecting flow, and includes any sluice, slacker, floodgate, lock, weir, pump or pumping machinery;

and other expressions shall have the same meanings as in the Act.

THE COMMON SEAL OF THE AINSTY (2008)  
INTERNAL DRAINAGE BOARD was hereunto affixed on the  
in the presence of:



Chairman



Clerk



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## **PENALTY NOTE**

By section 66(6) of the Land Drainage Act 1991 every person who acts in contravention of or fails to comply with any of the foregoing Byelaws is liable on summary conviction in respect of each offence to a fine not exceeding the amount prescribed from time to time for level 5 on the standard scale referred to in section 37 of the Criminal Justice Act 1982 and a further fine not exceeding Forty pounds for every day on which the contravention or failure is continued after conviction. By section 66(7) of the Act if any person acts in contravention of or fails to comply with any of these Byelaws the Board may without prejudice to any proceedings under section 66(6) of the Act take such action as may be necessary to remedy the effect of the contravention or failure and may recover the expenses reasonably incurred by it in doing so from the person in default.

(N.B. This note may accompany the Byelaws, but is not part of them)



## **AINSTY (2008) INTERNAL DRAINAGE BOARD**

The Secretary of State for Environment, Food and Rural Affairs, in pursuance of the powers conferred by section 66 of, and paragraph 2 of Schedule 5 to, the Land Drainage Act 1991, HEREBY CONFIRMS these Byelaws.



C A Tidmarsh  
for and on behalf of  
the Secretary of State  
Dated: 4 March 2022

I hereby certify this to be a true  
Copy



Carol Tidmarsh  
Authorised by the Secretary of State  
Dated: 4 March 2022

Department for Environment, Food and Rural Affairs



**KYLE AND UPPER OUSE  
INTERNAL DRAINAGE  
BOARD**

**BYE-LAWS**

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## KYLE AND UPPER OUSE INTERNAL DRAINAGE BOARD BYELAWS

The Kyle and Upper Ouse Internal Drainage Board under and by virtue of the powers and authority vested in them by section 66 of the Land Drainage Act 1991, do hereby make the following Byelaws which are considered necessary for securing the efficient working of the drainage system in their District:-

- |   |   |
|---|---|
| <b>Commencement of Byelaws</b>  | 1. These Byelaws shall come into operation at the expiration of one month beginning with the day on which they are confirmed by the Minister.   |
| <b>Application of Byelaws</b>   | 2. (a) These Byelaws shall have effect within the District;<br><br>(b) the watercourses referred to in Byelaws 5 to 8 and 10 to 23 are watercourses which are for the time being vested in or under the control of the Board.   |
| <b>Control of Introduction of Water and Increase in Flow or Volume of Water</b> | 3. No person shall, without the previous consent of the Board, for any purpose, by means of any channel, siphon, pipeline or sluice or by any other means whatsoever, introduce any water into the District or, whether directly or indirectly, increase the flow or volume of water in any watercourse in the District.  |
| <b>Control of Sluices etc.</b>  | 4. Any person having control of any sluice, slacker, flood gate, lock, weir, dam, pump, pumping machinery or other structure or appliance for introducing water into any water course in the District or for controlling or regulating or affecting the flow of water in, into or out of any water course shall use and maintain such sluice, slacker, floodgate, lock, weir, dam, pump, pumping machinery, structure or appliance in accordance with such reasonable directions as may from time to time be given by the Board with a view to the prevention of flooding or any shortage in the flow or supply of water and to the efficient working of the drainage system in the District. |
| <b>Fishing Nets and Angling</b>   | 5. No person shall angle or set any nets or engines for the catching or keeping of fish in any watercourse in such a manner as to cause damage to or endanger the stability of the bank of the watercourse or to affect or impede the flow of water.<br><br>In this Byelaw "nets" includes -<br><br>(a) a stake net, bag net or keep net;<br><br>(b) any net secured by anchors and any net, or other implement for taking fish, fixed to the soil or made stationary in any other way;   |

(c) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

**Diversion or Stopping up of Watercourses**

6. No person shall, without the previous consent of the Board, take any action, or knowingly permit or aid or abet any person to take any action to stop up any watercourse or divert or impede or alter the level of or direction of the flow of water in, into or out of any watercourse.

**Detrimental Substances not to be Put into Watercourses**

7. No person shall, so as directly or indirectly to obstruct, impede or interfere with the flow of water in, into or out of any watercourse or so as to damage the bank -  
(a) discharge or put or cause or permit to be discharged or put or negligently or wilfully cause or permit to fall into any watercourse any object or matter of any kind whatsoever whether solid or liquid;

(b) allow any such object or matter as is referred to in sub-paragraph (a) of this Byelaw to remain in proximity to any watercourse in such manner as to render the same liable to drift or fall or be carried into any water-course.

Provided that nothing in this Byelaw shall be deemed to render unlawful the growing or harvesting of crops in accordance with normal agricultural practice.

**Lighting of Fires**

8. No person shall light or cause or permit to be lighted or commit any action liable to cause to be lighted any fire on any land adjoining the watercourse where such action is liable to set on fire the peat land forming the banks of the watercourse or any trees, willows, shrubs, weeds, grasses or any other vegetable growths growing on land forming the banks of the watercourse.

**Notice to Cut Vegetable Growths**

9. Any person having control of any watercourse shall, upon the receipt of a notice served on him by the Board requiring him so to do, cut down and keep cut down all trees, willows, shrubs, weeds, grasses, reeds, rushes or other vegetable growths growing in or on the bank of a water course, within such reasonable time as may be specified in the notice, and shall remove such trees, willows, shrubs, weeds, grasses, reeds, rushes or other vegetable growth from the watercourse immediately after the cutting thereof.

Provided that, where a hedge is growing on the bank of a watercourse, nothing in this Byelaw shall require more than the pruning of the hedge so as to prevent it from growing over or into the watercourse, and the removal of the resultant cuttings.

**No Obstructions within 7 Metres of the Edge of the Watercourse**

10. No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 7 metres of the landward toe of the bank where there is an embankment or wall or within 7 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 7 metres of the enclosing structure.

**Repairs to Buildings**

11. The owner of any building or structure in or over a watercourse or on the banks thereof shall, upon receipt of a notice from the Board that because of its state of disrepair -

(a) the building or structure is causing or is in imminent danger of causing an obstruction to the flow of the watercourse, or

(b) the building or structure is causing or is in imminent danger of causing damage to the bank of the watercourse,

carry out such reasonable and practicable works as are specified in the notice for the purpose of remedying or preventing the obstruction or damage as the case may be within such reasonable time as is specified in the notice.

**Control of Vermin**

12. The occupier of any bank of a watercourse or any part thereof shall, upon being required by the Board by notice, within such reasonable time as may therein be specified, take such steps as are specified in the notice, being such steps as the Board consider necessary and practicable for preventing the bank from becoming infested by rabbits, rats, coypu, foxes and moles or any other wild mammal not being an animal listed in Schedule 5 or Schedule 6 to the Wildlife and Countryside Act 1981, but excluding the water vole from such control.

**Damage by Animals to Banks**

13. All persons using or causing or permitting to be used any bank of any watercourse for the purpose of grazing or keeping any animal thereon shall take such steps including fencing as are necessary and reasonably practicable and shall comply with such reasonable directions as may from time to time be given by the Board to prevent the bank or the channel of the watercourse from being damaged by such use.

Provided that nothing in this Byelaw shall be deemed to affect or prevent the use of, for the purpose of enabling animals to drink at it, any place made or to be made or constructed as approved by the Board.

**Vehicles not to be Driven on Banks**

14. No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.

**Banks not to be used for storage**

15. No person shall use or cause or permit to be used any bank of any watercourse for the purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Board or the right of the Board to deposit spoil on the bank of the watercourse.

**Not to Dredge or Raise Gravel, Sand etc**

16. No person shall without the previous consent of the Board dredge or raise or take or cause or permit to be dredged or raised or taken any gravel, sand, ballast, clay or other material from the bed or bank of any watercourse.

**Fences, Excavations, Pipes etc**

17. No person shall without the previous consent of the Board -
- (a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in or over any watercourse or in, over or through any bank of any watercourse;
  - (b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;
  - (c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;
  - (d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;
  - (e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so expected shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.

- Interference with Sluices** 18. No person shall without lawful authority interfere with any sluice, slacker, floodgate, lock, weir, dam, pump, pumping machinery or any other structure or appliance for controlling or regulating the flow of water in, into or out of a watercourse.
- Mooring of Vessels** 19. No person shall moor or place any vessel in any watercourse or to or upon the bank of any watercourse in such manner or by such method as to cause or be likely to cause injury to such bank or in such manner as materially to obstruct or impede the free flow of water in, into or out of any watercourse.
- Unattended Vessels** 20. No person shall leave any vessel unattended without taking due care to prevent such vessel from materially obstructing or impeding the free flow of water in, into or out of any watercourse or any sluice in any bank.
- Removal of Sunken Vessels** 21. No person who is the owner of a vessel sunk, stranded, damaged or adrift in a watercourse or, in the case of a sunken vessel which is abandoned, who was the owner immediately before the abandonment shall, after ten days from the day on which the Board serves on him notice in writing that the vessel is causing obstruction, permit the vessel to remain in the watercourse in such a manner as to impede or harmfully divert the flow of water in, into or out of the watercourse.
- Navigation of Vessels** 22. No person shall navigate any vessels in such a manner or at such a speed as to injure the bank of any watercourse and where the Board have by notice erected at any place limited the speed of vessels passing such place no person shall navigate a vessel at a speed over the bed of the watercourse greater than the speed so limited.
- Provided that the Board shall not exercise their powers under this Byelaw so as to limit the speed of -
- (a) vessels in any tidal waters except after consultation with the Department of the Environment, Transport and the Regions; or
- (b) vessels navigating waterways of the British Waterways Board for which speed limits are prescribed by the Byelaws of such Board.
- Damage to Property of the Board** 23. No person shall interfere with or damage any bank, bridge, building, structure, appliance or other property of or under the control of the Board.
- Defacement of Notice Boards** 24. No person shall deface or remove any notice board, notice or placard put up by the Board.

**Obstruction of the Board and Officers**

25. No person shall obstruct or interfere with any member, officer, agent or servant of the Board exercising any of his functions under the Act or these Byelaws.

**Savings for other Bodies**

26. Nothing in these Byelaws shall -

(a) conflict with or interfere with the operation of any Byelaw made by the Environment Agency or of any navigation, harbour or conservancy authority but no person shall be liable to more than one penalty or in the case of a continuing offence more than one daily penalty in respect of the same offence;

(b) restrict, prevent, interfere with or prejudice the exercise of any statutory rights or powers which are now or hereafter may be vested in or exercised by -

(i) any public utility undertaking carried on by a local authority under any Act or under any Order having the force of an Act;

(ii) the undertakings of the Environment Agency and of any water undertaker or sewerage undertaker;

(iii) any public gas transporter within the meaning of Part I of the Gas Act 1986;

(iv) any navigation, harbour or conservancy authority;

(v) any person who acts as the operator of a relevant railway asset, with respect to the construction, use or maintenance and repair of any such asset, or the free, uninterrupted and safe use of any such asset and the traffic (including passengers) thereon;

(vi) any local authority;

(vii) any highway authority for the purposes of the Highways Act 1980 (as amended by any subsequent enactment) in relation to any highway whether or not maintainable at public expense;

(viii) any undertaking engaged in the operation of a telecommunications system;

(ix) a relevant airport operator within the meaning of Part V of the Airports Act 1986;



(x) the Civil Aviation Authority and any subsidiary thereof;

(xi) the British Waterways Board;

(xii) the Coal Authority

(c) restrict, prevent, interfere with or prejudice any right of a highway authority to introduce into any watercourse surface water from a highway, for which it is the highway authority;

(d) restrict, prevent, interfere with or prejudice any right of a licence holder within the meaning of Part I of the Electricity Act 1989 to do any thing authorised by that licence or anything reasonably necessary for that purpose;

(e) affect any liability arising otherwise than under or by reason of these Byelaws.

**Savings for Crown Lands**

27. Nothing in these Byelaws shall operate to prevent the removal of any substance on, in or under (or the erection of any structure, building or machinery or any cable, wire or pipe on, over or under) lands belonging to Her Majesty in the right of the Crown by any person there unto authorised by the Crown Estate Commissioners.

**Arbitration**

28. (a) Where by or under Byelaws 4, 9, 11, 12, 13 or 17 any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board, he may within 21 days after the service of such notice on him give to the Board a counter-notice in writing objecting to either the reasonableness of or the necessity for such requirement or directions, and in default of agreement between such person and the Board the dispute shall, when the person upon whom such notice was served is a drainage or local authority be referred to the Minister whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party. Where such a counter-notice has been given to the Board the operation of the notice shall be suspended until either agreement has been reached or the dispute has been determined by arbitration in accordance with the provisions of this Byelaw;

(b) where by or under these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board and any dispute subsequently arises as to whether such work has been executed or such directions have been complied with, such dispute if it arises between a drainage authority or local authority and the Board shall be referred to the Minister whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the president of the Institution of Civil Engineers on the application of either party;

(c) where by or under Byelaws 3, 6, 10, 16 or 17 any person is required to refrain from doing any act without the consent of the Board such consent shall not be unreasonably withheld and may be either unconditional or subject to such reasonable conditions as the Board may consider appropriate and where any dispute arises as to whether in such a case the consent of the Board is being unreasonably withheld, or as to whether any conditions subject to which consent is granted are unreasonable, such dispute shall if it arises between a drainage authority or local authority and the Board be referred to the Minister whose decision shall be final, and in any other case such dispute shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party.

- Notices** 29. Notices and any other documents required or authorised to be served or given under or by virtue of these Byelaws shall be served or given in the manner prescribed by section 71 of the Act.
- Limitation** 30. (a) Nothing in these Byelaws shall authorise the Board to require any person to do any act, the doing of which is not necessary for securing the efficient working of the drainage system of the District or to refrain from doing any act, the doing of which does not adversely affect the efficient working of the drainage system of the District.
- (b) If any conflict arises between these Byelaws and
- (i) the Land Drainage Act 1994 (which relates to the board's duties with respect to the environment), or
  - (ii) the Conservation (Natural Habitats, etc.) Regulations 1994 (SI 1994 / 2716)
- the said Act and the said regulations shall prevail
- Revocation** 31. The Byelaws made by the Board on the eighteenth day of October 1944 are hereby revoked.
- Interpretation** 32. In these Byelaws, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-
- “the Act” means the Land Drainage Act 1991;
- “Animal” includes any horse, cattle, sheep, deer, goat, swine, goose or poultry;
- “Bank” includes any bank, cross bank, wall or embankment adjoining or confining or constructed for the purpose of or in connection with any watercourse and includes all land between the bank and the low water mark or level of the water in the watercourse as the case may be and where there is no such bank, cross bank, wall or embankment includes the top edge of the batter enclosing the watercourse;

“Board” means the Kyle and Upper Ouse Internal Drainage board;

“Consent of the Board” means the consent of the Board in writing signed by the Clerk for the time being of the Board or other duly authorised officer;

“District” means the area under the jurisdiction of the Board;

“The Minister” means the Minister of Agriculture, Fisheries and Food;

“Occupier” means in the case of land not occupied by any tenant or other person the person entitled to the occupation thereof;

“Owner” includes the person defined as such in the Public Health Act 1936;

“Relevant Railway Asset” means

(a) a network which transferred, by virtue of a transfer scheme made under section 85 of the Railways Act 1993, from the British Railways Board and vested in the company formed and registered under the Companies Act 1985 and known, at the date of vesting, as Railtrack PLC;

(b) a station which is operated in connection with the provision of railway services on such a network, or

(c) a light maintenance depot

Expressions used in this definition and in the Railways Act 1993 have the same meaning in this definition as they have in that Act, and a network such as is described in (a) above shall not cease to be such a network where it is modified by virtue of having any network added to it or removed from it.

“Vessel” includes any ship, hovercraft (as defined by the Hovercraft Act 1968), lighter, keel, barge, tug, launch, houseboat, pleasure or other boat, aircraft, randan, wherry, skiff, dinghy, shallop, punt, yacht, canoe, raft, float of timber or any other craft whatsoever, and howsoever worked, navigated or propelled;

and other expressions shall have the same meanings as in the Act.

THE COMMON SEAL  
of the  
KYLE AND UPPER OUSE INTERNAL DRAINAGE BOARD

was hereunto affixed on the

15th day of July 1996

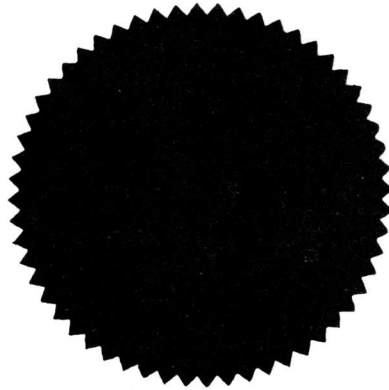
in the presence of:



Chairman

15.7.96

Clerk



**PENALTY NOTE**

By section 66(6) of the Act every person who acts in contravention of or fails to comply with any of the foregoing Byelaws is liable on summary conviction in respect of each offence to a fine not exceeding the amount prescribed from time to time for level 5 on the standard scale referred to in section 37 of the Criminal Justice Act 1982 and a further fine not exceeding Forty pounds for every day on which the contravention or failure is continued after conviction. By section 66(7) of the Act if any person acts in contravention of or fails to comply with any of these Byelaws the Board may without prejudice to any proceedings under section 66(6) of the Act take such action as may be necessary to remedy the effect of the contravention or failure and may recover the expenses reasonably incurred by it in doing so from the person in default.

(N.B. This note may accompany the Byelaws, but is not part of them).



**KYLE AND UPPER OUSE  
INTERNAL DRAINAGE BOARD  
LAND DRAINAGE BYELAWS**

The Minister of Agriculture, Fisheries and Food in pursuance of the powers conferred by section 66 of, and paragraph 2 of Schedule 5 to, the Land Drainage Act 1991, HEREBY CONFIRMS these Byelaws, subject to the modifications set out in red and incorporated therein, that is to say:-

Byelaw 22 (a)	Amend "Department of Transport" to "Department of the Environment, Transport and the Regions"
Byelaw 26(a) line 2	Delete "National Rivers Authority" and insert "Environment Agency"
Byelaw 26(b)(ii) line 1	Delete "National Rivers Authority" and insert "Environment Agency"
(iii)	Delete "British Gas plc" and insert "any public gas transporter within the meaning of Part I of the Gas Act 1986"
(v)	Delete saving, and insert new saving as follows: "any person who acts as the operator of a relevant railway asset, with respect to the construction, use or maintenance and repair of any such asset, or the free, uninterrupted and safe use of any such asset and the traffic (including passengers) thereon"
(viii)	Delete
(ix) - (xiii)	Re-number as (viii) - (xii)
(ix) as renumbered	Delete "the British Airports Authority" and insert "a relevant airport operator within the meaning of part V of the Airports Act 1986"
(x) as renumbered	After "Authority" insert "and any subsidiary thereof"
(xii) as renumbered	Delete "the British Coal Corporation" and insert "the Coal Authority"
Byelaw 32	Delete the interpretation for "Railway Property" and insert:  " "Relevant railway asset" means

(a) a network which was transferred, by virtue of a transfer scheme made under section 85 of the Railways Act 1993, from the British Railways Board and vested in the company formed and registered under the Companies Act 1985 and known, at the date of vesting, as Railtrack PLC

(b) a station which is operated in connection with the provision of railway services on such a network, or

(c) a light maintenance depot

Expressions used in this definition and in the Railways Act 1993 have the same meaning in this definition as they have in that Act, and a network such as is described in (a) above shall not cease to be such a network where it is modified by virtue of having any network added to it or removed from it".

IN WITNESS whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22 June 1998



**J. R. PARK**

J R PARK  
Grade 5

I hereby certify this to be  
a true copy



J R PARK  
Grade 5

# Appendix K Table of Local Acts and Byelaws to be disapplied by the Yorkshire Green DCO

## 1.1 Introduction

1.1.1 In Written Question 5.10.1, the Examining Authority requested a table be submitted, which sets out the following information in respect of the legislation being disapplied under Schedule 16:

- the section of the Act or byelaw;
- its provisions;
- why it is being disapplied;
- how the equivalent protections are provided for in the dDCO. If they are not provided for, provide justification for the approach;
- relevant provisions of the dDCO; and
- any links to the **Embedded Measures Schedule (Document 5.3.3A) [APP-094]**.

1.1.2 This document summarises the Local Acts and Byelaws to be disapplied, including a summary of the provision, justification for disapplication (including equivalent provisions provided for within the draft DCO) and relevant links to the **Embedded Measures Schedule (Document 5.3.3A) [APP-094]**.

## 1.2 Table of Local Acts and Byelaws

Table 1.5 – Table of Local Acts and Byelaws

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
	9	<b>9.— Culverting streams before development.</b>	The district council may, as a condition of	Construction works will be undertaken in accordance with the <b>Code of</b>	Measures have been proposed to mitigate effects on

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
<p>West Yorkshire Act 1980  (made under s262 and s239 of the LGA 1972)</p>		<p>Where plans of any proposed work are in accordance with building regulations deposited with a district council, the district council if they consider that any watercourse or ditch whether on the land on which the proposed works are to be carried out or any land abutting on the same should be wholly or partially filled up or covered over or piped or culverted may, as a condition of passing the plans, require that before any works are commenced any such watercourse or ditch shall be wholly or partially filled up or covered up or piped or culverted with all necessary gullies and other means of conveying surface-water into and through it.</p> <p>Section 64 (2) and section 65 (2) to (5) of the Act of 1936 (notice of rejection</p>	<p>approving building regulations, require that any watercourse or ditch shall be filled, covered, piped or culverted before any works are commenced.</p>	<p><b>Construction Practice (Document 5.3.3B) [APP-095]</b> and a drainage management plan will be approved by the relevant planning authority prior to works commencing.</p> <p>This is secured in Requirements 5(2)(a) and 6(1)(b) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>.</p> <p>To the extent building regulations are required to be approved for any works, it would not be appropriate to require further works to watercourses at that stage which might prevent or delay the authorised development, as an NSIP, coming forward.</p>	<p>watercourses from operations within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures proposed under CoCP ID HY1, HY2, TT03.</p> <p>This includes inspection and monitoring good working practices, consistent with best practice guidance to protect the surface water environment, the inclusion of a stand-off from watercourses, and a crossing schedule will be prepared which will include all crossing methodology for every crossing.</p> <p>The delivery mechanisms for all of the proposed measures are the</p>



Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>or passing of plans and enforcement of requirements) shall apply as if this section were a section of the Act of 1936.</p> <p>Any person by whom or on whose behalf plans of any proposed work were deposited with the district council who is aggrieved by the action of the district council in imposing a requirement under subsection (1) above may appeal to the Secretary of State.</p> <p>Section 69 of the Health and Safety at Work etc. Act 1974 (appeals to Secretary of State) shall apply to an appeal under this subsection as if it were such an appeal as is mentioned in subsection (1) of that section:</p> <p>Provided that this paragraph shall not have effect until rules of court relating to any such proceedings as are</p>			<p><b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and the <b>Construction Traffic Management Plan (Document 5.3.3F) [APP-099]</b>.</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>mentioned in subsection (5) of the said section 69 are in operation.</p> <p>Nothing in this section shall empower a district council to require the execution of works upon the land of any person other than the owner of the land upon which the proposed works are to be carried out without the consent of that person or prejudicially to affect the rights of any person not being the owner of the land upon which the proposed works are to be carried out.</p> <p>The powers conferred by subsection (1) above shall not be exercised with respect to any watercourse or ditch except with the consent of, and in accordance with any reasonable conditions imposed by, the water authority.</p>			

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>Before giving any consent or imposing any condition under paragraph (a) above with respect to any watercourse or ditch under the control of an internal drainage board, the water authority shall consult the internal drainage board.</p> <p>A consent required under paragraph (a) above shall not be unreasonably withheld and shall, if neither given nor refused within four weeks after application for it is made, be deemed to have been given.</p> <p>Any question arising under this subsection whether the consent of the water authority is unreasonably withheld or whether any condition imposed by the water authority is reasonable shall be referred to a single arbitrator to be agreed between the</p>			

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>district council and the water authority or, failing such agreement, to be appointed by the President of the Institution of Civil Engineers on the application of either party after giving notice to the other.</p>			

	<p>44</p>	<p><b>44.— Dust, etc., from building operations.</b></p> <p>This section applies to any building operation, including any work of demolition or the cleansing of any building or structure, which is either carried out in the open air or carried out in such circumstances that dust from the operation is emitted into the open air.</p> <p>Except as provided in subsection (6) below, a district council may give notice to any person carrying out, or controlling the carrying out of, an operation to which this section applies in their district requiring him, within such time as is specified in the notice, to take such reasonably practicable steps as are so specified to reduce the emission of dust from the operation.</p> <p>In considering what steps are reasonably practicable for the purposes of subsection (2) above, the district council shall have</p>	<p>The district council may require any person carrying out works to take steps to reduce emissions of dust. Failure to adhere to the requirement will be a criminal offence and, upon conviction, will result in a fine of up to £200 and a daily fine of £20.</p> <p>The person carrying out the proposed works may apply to the district council, giving details of the proposed works, method of operation and measures to reduce dust, upon which the district council may grant their consent to the</p>	<p>Emissions of dust will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured under requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>.</p> <p>It is therefore appropriate to disapply these provisions so that any provisions in relation to dust and nuisance are governed in accordance with the DCO.</p>	<p>Numerous measures have been proposed to mitigate dust from operations within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures proposed under CoCP ID AQ01 through to AQ37.</p> <p>This includes proposed measures such as regular on and off site inspections to monitor compliance, ensure all vehicles switch off when stationary, avoid the use of diesel and petrol powered generators, only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques, use enclosed chutes and conveyors and covered skips, plan site layout to ensure that machinery and</p>
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		<p>regard, amongst other matters, to the requirements of safety and safe working conditions, any relevant provisions of any code of practice approved under section 16 of the Health and Safety at Work etc. Act 1974 and to the financial implications.</p> <p>Any person aggrieved by a notice under subsection (2) above may appeal to the county court and the judge may make such order, either confirming or quashing or varying the notice as he thinks fit but shall not so vary the notice that it is more onerous than the notice given by the district council.</p> <p>Subject to any order made on appeal under subsection (4) above, any person who fails to comply with a notice under subsection (2) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200</p>	<p>works to be carried out in line with the application.</p>		<p>dust causing activities are located away from receptors as far as possible, consider the use of solid screens, remove materials from site that could cause dust as soon as practicably possible and use water assisted dust sweepers. This list is non-exhaustive and further information can be found within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>.</p> <p>The delivery mechanisms for all of the proposed measures are the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and the <b>Construction Traffic Management Plan (Document 5.3.3F) [APP-099]</b>.</p>
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		<p>and to a daily fine not exceeding £20.</p> <p>In any proceedings under this subsection it shall be a defence to show that the quantity of dust emitted into the open air was not materially greater than would have been emitted if the notice had been complied with.</p> <p>If, before the carrying out of any operation to which this section applies, the person who intends to carry it out applies to the district council for their consent to the operation giving particulars of—</p> <ul style="list-style-type: none"><li>the operation and the method by which it is to be carried out; and</li><li>the steps proposed to be taken to reduce the emission of dust from the operation;</li></ul> <p>and the district council consider that, on the carrying out of the operation in accordance with the application, they would not serve a notice under subsection (2) above in respect of that</p>			
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		<p>operation, the district council may give their consent to the operation for the purposes of this section, either unconditionally or subject to such conditions as may be specified in the consent.</p> <p>In acting under this subsection the district council shall have regard to the matters specified in subsection (3) above.</p> <p>If the district council do not, within twenty-one days from the receipt of an application under this subsection, give to the applicant a consent, with or without conditions, which is acceptable to the applicant, he may appeal to the county court.</p> <p>On any appeal under this subsection the judge may make such order either confirming the refusal of the consent or varying any conditions subject to which the consent has been given or ordering the giving of the consent with or without conditions as he thinks fit but shall not</p>			
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		<p>so vary any conditions that they are more onerous than those specified by the district council.</p> <p>In this section “dust” includes chemicals in solution and grit.</p> <p>Nothing in this section shall prejudice or affect the operation of any of the relevant statutory provisions as defined in Part I of the Health and Safety at Work etc. Act 1974.</p>			
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Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
<p>Byelaws for the good rule and government of the City of Leeds and for the prevention of nuisances made by the Council of the City in pursuance of Section 235 of the Local Government Act 1972</p>	<p>10</p>	<p><b>10. Preservation of road margins</b></p> <p>(1) No person shall without lawful authority drive or place a vehicle (other than a heavy commercial vehicle, as defined by section 36A of the Road Traffic Act 1972) or cause a vehicle to be driven or placed, upon any road margin to which this byelaw applies.</p> <p>(2) This byelaw applies to any road margin which is:</p> <p>(i) in or beside a public road other than a trunk road vested in the Secretary of State;</p> <p>(ii) laid or sown with grass or planted with trees, shrubs or plants, and maintained constantly in good order for ornamental purposes; And</p> <p>(iii) indicated to be a margin to which this byelaw applies by means</p>	<p>No person may drive or park in a grassed, signposted margin by the side of a local public road.</p>	<p>The street authority will approve any alterations to layout of streets used for the authorised development under article 13 (where not listed in Schedule 6). Access to works is authorised under article 14 (with the relevant accesses listed in Schedule 9), and where any changes to accesses are required, these need to be approved under Requirement 14 of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>.</p> <p>To the extent that access is required over any road margin, this should not be prevented and would be approved by the street authority under the <b>draft DCO (Document 3.1(B)) [AS-011]</b>. Any land used temporarily under the DCO must also be reinstated to the condition approved by the relevant planning authority, so to</p>	<p>Measures have been proposed to mitigate impact on road margins under the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094]</b>. Please see measures proposed under CoCP ID TT02, TT02.</p> <p>These measures include signage and/or temporary diversions to be provided during construction, including rights of navigation. Highways condition surveys will be undertaken before, during and after the construction phase and repairs conducted as a result of HGVs on the highways. Construction access will be provided with visibility splays</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		of notices conspicuously displayed on or near the said margin by the Council.		the extent that any margins are affected, their reinstatement is secured under Requirement 11 of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	<p>designed to DRMB or local standards.</p> <p>The active management of crossing points and shared accesses will be temporary in nature and will require site specific signage to inform the public and construction vehicle drivers.</p> <p>Where required, temporary traffic management measures such as traffic signals and manned stop/go boards will be used. Temporary highway signage would provide routing information for construction vehicles and avoid use of short cuts.</p> <p>The relevant delivery mechanisms include <b>Code of</b></p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
					<p><b>Construction Practice (Document 5.3.3B) [APP-095], Public Right of Way Management Plan (Document 5.3.3G) [APP-100] and Construction Traffic Management Plan (Document 5.3.3F) [APP-099].</b></p>
	11	<p><b>11. Mud, etc, falling from vehicles to the highway</b></p> <p>(1) When, to the knowledge of a person in charge of a vehicle, any mud, clay, lime or similar material has fallen on a highway from the vehicle, such person shall, if such fallen material is likely to cause obstruction or danger to persons using the highway or injury to the surface of the highway, remove or cause to be removed all such</p>	<p>No person shall bring a vehicle onto the road which may deposit material to be an obstruction on the road (mud or clay) without first removing this material.</p>	<p>This will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured under Requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> and it is appropriate to disapply the provision to ensure there no confusion as to what regime applies to the authorised development.</p>	<p>Measures have been proposed to mitigate mud etc from operations within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures proposed under CoCP ID AQ16, AQ36.</p> <p>Site runoff will be avoided from water or mud and a wheel washing system will</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>fallen material from the highway as completely and as soon as is reasonably practicable.</p> <p>(2) The person in charge of a vehicle shall not bring the vehicle or permit it to be brought upon a highway unless there has been removed from the wheels thereof as completely as is reasonably practicable all mud, clay, lime and similar material which is likely, if not so removed, to cause obstruction or danger to persons using the highway or injury to the surface of the highway.</p> <p>(3) In this byelaw -</p> <p>- "the person in charge of a vehicle" means the person who whether as owner or otherwise has the charge or control of a vehicle or being present is entitled to give orders to</p>			<p>be implemented with rumble grids to dislodge accumulated dust and mud prior to vehicles leaving site locations.</p> <p>The delivery mechanisms for all of the proposed measures are the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and the <b>Construction Traffic Management Plan (Document 5.3.3F) [APP-099]</b>.</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>the person having charge or control;</p> <p>- "vehicle" includes any trailer and any agricultural implement or machine.</p> <p>"wheels" includes axles, runners and tracks</p>			
	17	<p><b>17. Noise</b></p> <p>Between the hours of 8 am and 9 pm no person shall by operating or causing or suffering to be operated, any wireless set, gramophone, amplifier or similar instrument in any street or public place, make or cause or suffer to be made any noise which is so loud and so continuous or repeated as to give reasonable cause for annoyance to other persons.</p>	<p>Not to make a noise which is so loud and so continuous or repeated as to give reasonable cause for annoyance to other persons.</p>	<p>Construction noise is controlled through the <b>Noise and Vibration Management Plan (Document 5.3.3H) [APP-101]</b> under Requirement 5(2)(f) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> and construction hours are controlled under Requirement 7 of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>. Given its NSIP status, the authorised development will also have a defence to statutory nuisance in the circumstances set out in article 43 of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>. It is therefore</p>	<p>Measures have been proposed to mitigate noise within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures proposed under CoCP ID NV01 – NV14.</p> <p>These measures include all construction activities to be undertaken within the Order Limits. Prior to construction works, the detailed design, working methods and mitigation proposals will be developed and</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
				<p>appropriate to disapply these provisions so that any provisions in relation to noise and nuisance are governed in accordance with the DCO.</p>	<p>approved to minimise adverse effects of construction noise. National Grid will have a system for recording of any noise or vibration complaints and procedures for investigating and acting appropriately. A screening strategy of noise contributing equipment is required in certain locations. Where required, all compressors and generators are to be 'sound reduced' models fitted with acoustic covers.</p> <p>Machines in intermittent use shall be shut down in intervening periods where possible and plant with directional noise characteristics positioned to minimise noise. Static equipment and</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
					<p>machinery is to be sited as far as is practicable from inhabited buildings.</p> <p>Temporary access roads will be well maintained to minimise noise. Activities are to be located away from sensitive receptors and materials will be handled in a manner that minimises noise. Prior warning is to be given for night-time work close to receptors. Training is to be provided to minimise disruption.</p> <p>The delivery mechanisms include the DCO Work plans and Limits of Deviation and the <b>Noise and Vibration Management Plan (Document 5.3.3H) [APP-101]</b>.</p>



Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
<p>Ainsty (2008) Internal Drainage Board Byelaws 2022 (made under section 66 of the Land Drainage Act 1991)</p>	3	<p><b>Control of Introduction of Water and Increase in Flow or Volume of Water</b></p> <p>No person shall for any purpose, including as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended ("the 1990 Act")) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District [Area] so as to directly or indirectly increase the flow or volume of water in any watercourse in the District [Area] (without the</p>	<p>No introduction of water into a watercourse is permitted without the previous consent of the Board.</p>	<p>Article 19(3) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> provides that "<i>the undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs...</i>". This wording is being updated in the draft DCO to be submitted at Deadline 3 to make clear that this refers to those responsible for the watercourse.</p> <p>Additionally, Article 19(6) requires that "<i>the undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this article is as free as may</i></p>	<p>Measures have been included to mitigate potential effects on the hydromorphology and flow conveyance as a result of increased sediment inputs or direct watercourse disturbance within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures CoCP ID HY1 to HY7.</p> <p>These measures include control of runoff from working areas achieved through implementation of the Drainage Management Plan (DMP) (secured through Requirement 6(1)(b)). The DMP</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		previous consent of the Board).		<p><i>be practicable from gravel, soil or other solid substance, oil or matter in suspension".</i></p> <p>The IDB would still be consulted on the details of surface runoff discharges within their district through the discharge of Requirement 6(1)(b) and 6(4) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>, which relates to the drainage management plan.</p>	<p>will use SuDS principles, promoting infiltration of runoff and treatment to ensure discharges are uncontaminated.</p> <p>No silty water would be discharged directly into any watercourse. Where there remains the potential for this silty water to runoff into nearby surface water features or agricultural land used for crops, additional control measures would be put in place as specified in the DMP.</p> <p>Drainage measures will be phased to be completed before the commencement of earthwork operations in a specific area.</p> <p>The delivery mechanism includes the <b>Code of</b></p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
	10	<p><b>No Obstructions within 9 Metres of the Edge of the Watercourse</b></p> <p>No person without the previous consent of the Board shall erect any building or structure (including a fence), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the landward toe of the bank where there is an embankment or wall or within 9 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 9 metres of the enclosing structure.</p>	Not to erect any temporary structure within 9 metres of a watercourse.	It may be necessary to undertake works in proximity to watercourses and it is therefore appropriate to disapply this provision. Works in proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by Requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	<p><b>Construction Practice (Document 5.3.3B) [APP-095]</b>.</p> <p>Measures have been prepared to mitigate any potential obstructions of a watercourse within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures CoCP ID TT03, HY2, HY7,</p> <p>These measures include preparing a crossing schedule with crossing methodology for watercourses. Where possible, a stand-off from the top of bank of all watercourses will be established – this will be 9m from adopted watercourses. In addition, temporary bridges may be required for</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
					<p>construction accesses.</p> <p>The delivery mechanisms include the <b>Code of Construction Practice (Document 5.3.3B)</b> [APP-095].</p>
	14	<p><b>Vehicles not to be Driven on Banks</b></p> <p>No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.</p>	<p>Not to drive a vehicle on the bank of a watercourse.</p>	<p>It may be necessary to take machinery and equipment on to the banks of watercourses and it is therefore appropriate to disapply this provision. Works in proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B)</b> [APP-095] secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B))</b> [AS-011].</p>	<p>Some measures have been prepared to avoid vehicles on the bank of a watercourse within the <b>Embedded Measures Schedule (Document 5.3.3A)</b> [APP-094]. Please see measures CoCP HY2 and TT01.</p> <p>This includes stand-off distances from the top of the bank of all watercourses. Information packs will be provided to all contractors to all staff driving vehicles on the Project.</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
					The delivery mechanism is the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> .
	15	<p><b>Banks not to be Used for Storage</b></p> <p>No person shall use or cause or permit to be used any bank of any watercourse for the purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Board or the right of the Board to</p>	Not to store material on the bank of a watercourse which may cause damage.	It may be necessary to undertake works in proximity to watercourses and it is therefore appropriate to disapply this provision. Works in proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	<p>Some measures have been prepared to mitigate banks being used for storage within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094]</b>. Please see measures CoCP HY9.</p> <p>This measure includes fuel and chemical storage to be located a minimum of 10m away from any watercourse.</p> <p>The delivery mechanisms for this is the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and Pollution Incident</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		deposit spoil on the bank of the watercourse.			Control Plan secured under Requirement 6(1)(c) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .
	17	<p><b>Fences, Excavations, Pipes etc</b></p> <p>No person shall without the previous consent of the Board -</p> <p>(a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse;</p> <p>(b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone,</p>	Not to place any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse. Culverts are also restricted without consent.	The overhead line will be installed over watercourses (e.g., the river Ouse). Culverts will be required to construct the authorised development. Works in proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	<p>Some measures have been prepared to mitigate electrical wires being placed under or over any watercourse within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094]</b>. Please see measures CoCP ID HY2, HY7 BD01, TT03.</p> <p>These measures include establishing a stand-off distance from the top of the bank of all watercourses.</p> <p>Where required, temporary culverts are to be used on smaller watercourses but these will be</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;</p> <p>(c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;</p> <p>(d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other</p>			<p>sensitively designed to affect the minimum length possible retaining the natural bed of the watercourse.</p> <p>A crossing schedule will be prepared which includes a crossing methodology for each crossing of a watercourse.</p> <p>Temporary bridges will be used in preference to culverts for main rivers. Culverts will be used for crossing of other watercourses. These will either be arch culverts, leaving the bed undisturbed or installed with invert set below the natural bed level.</p> <p>The delivery mechanisms include the Code of Construction Practice <b>(Document 5.3.3B)</b></p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;</p> <p>(e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.</p> <p>Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and</p>			<p>[APP-095] and the <b>Biodiversity Mitigation Strategy (Document 5.3.3D [APP-097]</b>.</p>



Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		comply with any reasonable directions the Board may give with regard thereto.			
<p>Kyle and Upper Ouse Internal Drainage Board Byelaws 1996  (made under section 66 of the Land Drainage Act 1991)</p>	3	<p><b>Control of Introduction of Water and Increase in Flow or Volume of Water</b></p> <p>3. No person shall, without the previous consent of the Board, for any purpose, by means of any channel, siphon, pipeline or sluice or by any other means whatsoever, introduce any water into the District or, whether directly or indirectly, increase the flow or volume of water in any watercourse in the District.</p>	<p>No introduction of water into a watercourse is permitted without the previous consent of the Board.</p>	<p>Article 19(3) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> provides that "<i>the undertaker must not discharge any water into any watercourse, public sewer or drain except with the consent of the person to whom it belongs...</i>". This wording is being updated in the draft DCO to be submitted at Deadline 3 to make clear that this refers to those responsible for the watercourse.</p> <p>Additionally, Article 19(6) requires that "<i>the undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain under the powers conferred by this</i></p>	<p>Measures have been included to mitigate potential effects on hydromorphology and flow conveyance as a result of increased sediment inputs or direct watercourse disturbance within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b>. Please see measures CoCP ID HY1 to HY7.</p> <p>These measures include control of runoff from working areas achieved through implementation of the Drainage Management Plan (DMP) (secured through Requirement 6(1)(b)). The DMP</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
				<p><i>article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension".</i></p> <p>The IDB would still be consulted on the details of surface runoff discharges within their district through the discharge of requirement 6(1)(b) and 6(4) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>, which relates to the drainage management plan.</p>	<p>will use SuDS principles, promoting infiltration of runoff and treatment to ensure discharges are uncontaminated.</p> <p>No silty water would be discharged directly into any watercourse. Where there remains the potential for this silty water to runoff into nearby surface water features or agricultural land used for crops, additional control measures would be put in place as specified in the DMP.</p> <p>Drainage measures will be phased to be completed before the commencement of earthwork operations in a specific area.</p> <p>The delivery mechanism includes the <b>Code of</b></p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
					<b>Construction Practice (Document 5.3.3B) [APP-095].</b>
	10	<p><b>No obstructions within 7 metres of the Edge of the Watercourse</b></p> <p>10. No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 7 metres of the landward toe of the bank where there is an embankment or wall or within 7 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 7 metres of the enclosing structure.</p>	Not to erect any temporary structure within 7 metres of a watercourse.	It may be necessary to undertake works in proximity to watercourses and it is therefore appropriate to disapply this provision. Works in proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	Some measures have been prepared to mitigate obstruction of watercourses within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b> . Please see measures CoCP HY2.  This measure establishes a stand-off distance from the top of the bank of all watercourses. This will be 8m for non-tidal Main Rivers, 7m from adopted drains within the KUOIDB district and 9m from adopted watercourses within the AIDB district.
	14	<b>Vehicles not to be driven on banks</b>	Not to drive a vehicle on the	It may be necessary to take machinery and equipment on to the	Some measures have been prepared to avoid vehicles on the

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		14. No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.	bank of a watercourse.	banks of watercourses and it is therefore appropriate to disapply this provision. Works in proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	bank of a watercourse within the <b>Embedded Measures Schedule (Document 5.3.3A [APP-094])</b> . Please see measures CoCP HY2 and TT01.  This includes stand-off distances from the top of the bank of all watercourses. Information packs will be provided to all contractors to all staff driving vehicles on the Project.  The delivery mechanism is the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> .
	15	<b>Banks not to be used for storage</b> 15. No person shall use or cause or permit to be used any bank of any watercourse for the	Not to store material on the bank of a watercourse which may cause damage.	It may be necessary to undertake works in proximity to watercourses and it is therefore appropriate to disapply this provision. Works in	Some measures have been prepared to mitigate banks being used for storage within the <b>Embedded Measures Schedule</b>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Board or the right of the Board to deposit spoil on the bank of the watercourse.		proximity to watercourses will be controlled under the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b> .	<p><b>(Document 5.3.3A [APP-094]</b>. Please see measures CoCP HY9.</p> <p>This measure includes fuel and chemical storage to be located a minimum of 10m away from any watercourse.</p> <p>The delivery mechanism for this is the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and Pollution Incident Control Plan secured under Requirement 6(1)(c) of the <b>draft DCO (Document 3.1(B)) [AS-011]</b>.</p>
	17	<p><b>Fences, excavations, pipes etc.</b></p> <p>17. No person shall without the previous consent of the Board –</p>	Not to place any electrical main or cable or wire in, under or over any watercourse or	The overhead line will be installed over watercourses (e.g. the river Ouse). Culverts will be required to construct the authorised development. Works in	Some measures have been prepared to mitigate electrical wires being placed under or over any watercourse within the <b>Embedded</b>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>(a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in or over any watercourse or in, over or through any bank of any watercourse;</p> <p>(b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or</p>	<p>in, over or through any bank of any watercourse.</p>	<p>proximity to watercourses will be controlled under the Code of Construction Practice (<b>Document 5.3.3B</b>) [APP-095] secured by requirement 5(2)(a) of the <b>draft DCO (Document 3.1(B))</b> [AS-011].</p>	<p><b>Measures Schedule (Document 5.3.3A [APP-094]</b>. Please see measures CoCP ID HY2, HY7 BD01, TT03</p> <p>These measures include establishing a stand-off distance from the top of the bank of all watercourses.</p> <p>Where required, temporary culverts are to be used on smaller watercourses but these will be sensitively designed to affect the minimum length possible retaining the natural bed of the watercourse.</p> <p>A crossing schedule will be prepared which includes a crossing methodology for each crossing of a watercourse.</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>endanger the stability of the bank;</p> <p>(c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;</p> <p>(d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;</p> <p>(e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of</p>			<p>Temporary bridges will be used in preference to culverts for main rivers. Culverts will be used for crossing of other watercourses. These will either be arch culverts, leaving the bed undisturbed or installed with invert set below the natural bed level.</p> <p>The delivery mechanisms include the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and the <b>Biodiversity Mitigation Strategy (Document 5.3.3D) [APP-097]</b>.</p>

Title	Section / Byelaw	Corresponding provision	Summary of provision	Justification (including equivalent provisions provided for within the draft DCO)	Links to embedded measures schedule [APP-094]
		<p>any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.</p> <p>Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so expected shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.</p>			



# Appendix L Response to Q8.0.2

## 1.1 Response to Q8.0.2

1.1.1 National Grid’s response to Q8.0.2 is set out in Table 1.1 below.

Table 1.6 – Response to 8.0.2

Q8.0.2	Difference Yes/No	National Grid’s Position	National Grid’s understanding of the Council’s Position
<p><b>Response to part a:</b> “Whether the Proposed Development (or any part of it) would, in your view, be inappropriate by reasons of effect on openness having regard to the NPPF and relevant development plan policy”.</p>	<p>No for Leeds City Council  Yes for City of York Council and North Yorkshire Council</p>	<p>The overhead lines and reconductoring works do not harm openness, as set out in <b>paragraphs 7.3.89 to 7.3.92 of the Planning Statement (Document 7.1) [APP-202]</b>.</p> <p>The substations and cable sealing end compounds do harm openness as set out in <b>paragraph 7.3.93 of the Planning Statement (Document 7.1) [APP-202]</b>.</p>	<p><b>Leeds City Council:</b> Whilst Leeds do not specifically comment on “openness” they state that the proposals “<i>would not have a greater effect on the Green Belt other than for where proposed works are required to provide permanent or temporary highway infrastructure and/ or mitigation</i>” (see paragraph 15 of the Leeds City Council LIR [REP1-053]).</p> <p><b>City of York Council:</b> Paragraph 7.11 of the City of York LIR [REP1-047] states “<i>Whilst pylons allow for views through them by virtue of the design there will inevitably be a degree of harm to the overall openness of the Green Belt.</i>”.</p> <p>Paragraph 7.12 of the City of York LIR [REP1-047] states “<i>The larger component parts of the project, particularly the proposed new substation at Overton would harm the openness of the Green Belt simply by virtue of introducing development on land which is currently undeveloped</i>”.</p> <p>Paragraph 7.13 of the City of York LIR [REP1-047] “<i>it would therefore be the position of CYC that the applicants’ statement that the proposals would not affect the openness of the Green Belt overly simplifies what is a more nuanced matter and set of considerations. There are elements of the proposals which would harm of the openness of the Green Belt, both temporarily and more permanently</i>”.</p>

Q8.0.2	Difference Yes/No	National Grid's Position	National Grid's understanding of the Council's Position
			<p><i>and in such circumstances, it would be necessary to consider whether Very Special Circumstances exist which would justify such harms”.</i></p> <p><b>North Yorkshire Council:</b> Paragraph 6.16 of the North Yorkshire LIR [REP1-056] states “Overall, the Authority is of the opinion that the scheme would result in a number of ‘structures’ and operational equipment which would have a significant impact on the openness of the Green Belt due to the increased size of the substation at Monk Fryston, the scale of the development, the presence of additional pylons, overhead lines, operational equipment and infrastructure at this location and across the projects location”.</p>
<p><b>Response to part b:</b> “Whether you consider that there are differences between any elements of the infrastructure proposed (substations/ CSECs/ new OHL/ modifications to existing OHL) in terms of being inappropriate or not inappropriate”.</p>	<p>Unknown for Leeds City Council and City of York Council.</p> <p>Yes North Yorkshire Council</p>	<p>The overhead lines and reconductoring works are not inappropriate, as set out in <b>paragraphs 7.3.89 to 7.3.92 of the Planning Statement (Document 7.1) [APP-202]</b>. The substations and cable sealing end compounds are inappropriate as set out in <b>paragraph 7.3.93 of the Planning Statement (Document 7.1) [APP-202]</b>.</p>	<p><b>Leeds City Council:</b> No view expressed as to whether the Project is inappropriate or not inappropriate (Leeds City Council LIR [REP1-053]).</p> <p><b>City of York Council:</b> Do not specifically state which elements of the Project are inappropriate or not inappropriate in the City of York LIR [REP1-047].</p> <p><b>North Yorkshire Council:</b> At paragraph 6.11 of the North Yorkshire Council LIR [REP1-056], the Council state “Some elements of the scheme (e.g. the Pylons, overhead lines, any buildings, enclosures, boundary fencing or operational equipment) are structures and do not fall within any of the categories in para 149. Therefore, they are inappropriate development which is harmful by definition”.</p>

Q8.0.2	Difference Yes/No	National Grid's Position	National Grid's understanding of the Council's Position
Q8.0.2	Difference Yes/No	National Grid's Position	National Grid's understanding of the Council's Position
<p><b>Response to part c:</b> “Specifically, do you consider that the proposed raising the height of existing pylons would have an effect on openness?”.</p>	Unknown	The raising of the height of the pylons would not affect openness of the Green Belt as raising the height would involve little physical change.	<p><b>Leeds City Council:</b> Not specifically addressed.</p> <p><b>City of York Council:</b> Not specifically addressed.</p> <p><b>North Yorkshire Council:</b> Not specifically addressed.</p>
<p><b>Response to d:</b> “Whether any part of the Proposed Development would benefit from any of the exceptions set out in the NPPF (paras 149 to 150)”.</p>	<p>Unknown for Leeds City Council and City of York Council.</p> <p>North Yorkshire Council</p>	<p>The overhead lines and reconductoring works benefits from the exceptions set out in paragraph 150 part “b) engineering operations” as they do not conflict with the purposes of including land within the Green Belt and do not harm openness, as set out in <b>paragraph 7.3.90 of the Planning Statement (Document 7.1) [APP-202]</b>.</p> <p>The substations and cable sealing end compounds, are also considered engineering operations which do not harm the purposes of the Green Belt. However, it is recognised they</p>	<p><b>Leeds City Council:</b> Unknown based on the response in the LIR [REP1-053].</p> <p><b>City of York Council:</b> based on the response in paragraphs 7.9 and 7.10 of the LIR [REP1-047] it is unclear if the Council consider the Project benefits from the exceptions set out in the paragraphs 149 to 150 of the NPPF. Paragraphs 7.9 infers that City of York Council concurs with National Grids position that the Project is regarded as being an engineering operation in the context of paragraph 150, the York LIR then goes on to state in paragraph 7.10 that in “<i>the context of Paragraph 150 whilst engineering operations would be regarded as not constituting inappropriate development within the Green Belt there is a requirement for such proposals to preserve the openness of the Green Belt. The degree to which the proposals would preserve the openness of the Green Belt is a matter which CYC and the applicant are yet to agree upon.</i>”</p> <p><b>North Yorkshire Council:</b> exceptions set out in paragraph 150 part “b)” only apply to “underground cabling, ground works, engineering</p>

Q8.0.2	Difference Yes/No	National Grid's Position	National Grid's understanding of the Council's Position
		do not preserve openness. Therefore, they do not benefit from paragraph 150 part "b)", as set out in <b>paragraph 7.3.93 of the Planning Statement (Document 7.1) [APP-202]</b> .	works, temporary construction sites etc" (see paragraph 6.12 of the North Yorkshire LIR <b>[REP1-056]</b> ).
<b>Response to part e:</b> "Whether you consider that openness would be preserved or whether the Proposed Development would have a greater impact on the openness of the Green Belt than existing development".	No for Leeds City Council  Yes for City of York Council and North Yorkshire Council	(See answer to part d above)	<p><b>Leeds City Council:</b> N/A – Whilst Leeds do not specifically comment on "openness" they state that the proposals "would not have a greater effect on the Green Belt other than for where proposed works are required to provide permanent or temporary highway infrastructure and/ or mitigation" (see paragraph 15 of the Leeds City Council LIR <b>[REP1-053]</b>).</p> <p><b>City of York Council:</b>            Paragraph 7.11 of the City of York LIR <b>[REP1-047]</b> states "Whilst pylons allow for views through them by virtue of the design there will inevitably be a degree of harm to the overall openness of the Green Belt".</p> <p>Paragraph 7.12 of the City of York LIR <b>[REP1-047]</b> states "The larger component parts of the project, particularly the proposed new substation at Overton would harm the openness of the Green Belt simply by virtue of introducing development on land which is currently undeveloped".</p> <p><b>North Yorkshire Council:</b> Paragraph 6.16 of the North Yorkshire LIR <b>[REP1-056]</b> states "Overall, the Authority is of the opinion that the scheme would result in a number of 'structures' and operational equipment which would have a significant impact on the openness of the Green Belt due to the increased size of the substation at Monk Fryston, the scale of the development, the presence of additional</p>

Q8.0.2	Difference Yes/No	National Grid's Position	National Grid's understanding of the Council's Position
			<i>pylons, overhead lines, operational equipment and infrastructure at this location and across the projects location”.</i>
<p><b>Response to part f:</b> Identify the geographical areas where you consider openness would be harmed.</p>	<p>No for Leeds City Council and City of York Council.  Yes North Yorkshire Council</p>	<p>National Grid consider the geographical areas where openness would be harmed are limited to the areas around the new substations at Overton and Monk Fryston, and the cable sealing end compounds at Shipton and Tadcaster.</p>	<p><b>Leeds City Council:</b> N/A – Leeds do not comment on specifically on where</p> <p><b>City of York Council:</b> refer to the substation locations in paragraph 7.12 of the City of York LIR [REP1-047] which states “<i>The larger component parts of the project, particularly the proposed new substation at Overton would harm the openness of the Green Belt simply by virtue of introducing development on land which is currently undeveloped</i>”.</p> <p><b>North Yorkshire Council:</b> Paragraph 6.16 of the North Yorkshire LIR [REP1-056] indicates that the Project <i>needs to be considered in the context of other developments allowed/proposed within the local area also within Green Belt, including, but not limited to, two applications granted permission in 2022 for battery storage facilities on land adjacent to the proposed Yorkshire Green project. Such projects are identified in Chapter 18 ‘Cumulative Effects’ (APP-090) and Appendix A ‘Cumulative Effects Assessment Long List of Other Developments’ (APP-161)</i>”.</p>
<p><b>Response to part g:</b> Do you consider that there is any other non-Green Belt harm which should be considered in the balance, if so set out what this would be.</p>	<p>Unknown</p>	<p>Yes. <b>Paragraph 7.4.10 of the Planning Statement (7.1) [APP-202]</b> sets out the other “non-Green Belt harm” which is identified as:</p> <ul style="list-style-type: none"> <li>● increased activity;</li> <li>● traffic;</li> <li>● noise;</li> <li>● light pollution;</li> <li>● effects on landscape character; and</li> </ul>	<p><b>Leeds City Council:</b> Not raised as a concern.</p> <p><b>City of York Council:</b> Not raised as a concern.</p> <p><b>North Yorkshire Council:</b> state in paragraph 6.19 of the North Yorkshire Council LIR [REP1-056] “<i>It is not clear to the Authority the extent of other harms at this stage and therefore it is not possible for it to give a view on the balancing exercise</i>”.</p>

Q8.0.2	Difference Yes/No	National Grid's Position	National Grid's understanding of the Council's Position
		<ul style="list-style-type: none"> <li>• visual effects</li> </ul> <p>These have been considered in the balance with the analysis, and why the Project should be approved, set out in <b>Paragraph 7.4.11 to 7.4.17 of the Planning Statement (7.1) [APP-202]</b>.</p>	

# Appendix M Navigation and signposting for landscape and visual effects and mitigation

## 1.1 Introduction

1.1.1 In relation to Q11.0.1, Table 1.1 below provides a tabular navigation document, which lists all relevant parts of the application relevant to landscape and visual impact assessment (LVIA) and mitigation. This includes the arboricultural impact assessment (AIA).

Table 1.7 – Navigation / signposting table for landscape and visual effects and mitigation

APP Reference	Document Reference	Key References
AS-011	3.1 (B) Draft Development Consent Order	Requirements 8,9 and 10
APP-072	5.1 ES Non-Technical Summary	Section 5 Landscape and Visual Section 17 Cumulative effects
APP-075	5.2.3 ES Chapter 3 Description of the Project	Section 3.4: Outline Landscape Mitigation Strategy described for Overton and Monk Fryston Substations and the Tadcaster CSEC. Reinstatement strategy only applies to Shipton CSEC.
APP-078	5.2.6 ES Chapter 6 Landscape and Visual	
APP-084	5.2.12 ES Chapter 12 Traffic and Transport	Section 12.11 significance conclusions
APP-090	5.2.18 ES Chapter 18 Cumulative Effects	Inter-project cumulative landscape and visual effects at 18.6.5 to 18.6.16 and Table 18.10 (pages 26 -37) Intra-project cumulative effects at paragraph 18.7.3 (pages 69-70) and Table 3.12
APP-094	5.3.3A Appendix 3A Embedded Measures Schedule	Pages 51 to 53 – Landscape and Visual Pages 67 to 69 – Arboriculture Pages 11- 16 - Agriculture and Soils
APP-095	5.3.3B Appendix 3B Code of Construction Practice	Section 2.3 General site management including fencing and lighting Section 3.2 General measures Section 3.3 Landscape, visual and arboriculture Section 3.8 Agriculture and Soils

<b>APP Reference</b>	<b>Document Reference</b>	<b>Key References</b>
APP-098	5.3.3E Appendix 3E Outline Soil Management Plan	Sections 1.7 and 1.10
APP-100	5.3.3G Appendix 3G Public Rights of Way Management Plan	Table 3.1 -proposed management measures at the affected routes with public access. Section 4.2 – Alternative Route for NCN 65.
APP-102	5.3.3I (Part 1 of 3) Appendix 3I Arboricultural Impact Assessment	Report
APP-103	5.3.3I (Part 2 of 3) Appendix 3I Arboricultural Impact Assessment	Annex 3I.1 and 3I.2 Tree Constraints Plan and Tree Survey Schedule.
APP-104	5.3.3I (Part 3 of 3) Appendix 3I Arboricultural Impact Assessment	Annex 3I.3 and 3I.4 - Tree Removal and Protection Plan and Outline Arboricultural Method Statement.
APP-105	5.3.4A Appendix 4A Scoping Opinion	4.1 Landscape and Visual Amenity (pages 18-23)
APP-108	5.3.6A Appendix 6A EIA Scoping Opinion Responses on Landscape and Visual Assessment	
APP-109	5.3.6B Appendix 6B Technical Engagement on Landscape and Visual Assessment	
APP-110	5.3.6C Appendix 6C Landscape and Visual Impact Assessment Methodology	
APP-111	5.3.6D Appendix 6D Landscape Character Baseline	
APP-112	5.3.6E Appendix 6E Landscape Character Sensitivity Assessment	



<b>APP Reference</b>	<b>Document Reference</b>	<b>Key References</b>
APP-113	5.3.6F Appendix 6F Landscape Character Receptor Assessment	
APP-114	5.3.6G Appendix 6G Visual Receptor Assessment	
APP-115	5.3.6H Appendix 6H Viewpoint Assessment	
AS-017	5.4.3(B) ES Chapter 3 Description of the Project Figures	Figures 3.10 to 3.12: Outline Landscape Mitigation Strategy at Overton, Monk Fryston and Tadcaster.
APP-167	5.4.6 (Part 1 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.1 to 6.25b (all plan figures and viewpoints 1 and 2 visualisations)
APP-168	5.4.6 (Part 2 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.26 to 6.29 (Viewpoints 3 and 4 visualisations)
APP-169	5.4.6 (Part 3 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.30 to 6.32 (Viewpoint 5 visualisations)
APP-170	5.4.6 (Part 4 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.33 to 6.36 (Viewpoints 6 and 7 visualisations)
APP-171	5.4.6 (Part 5 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.37 to 6.39 (Viewpoints 8 and 9 visualisations)
APP-172	5.4.6 (Part 6 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.40 to 6.41 (Viewpoints 10 and 11 visualisations)
APP-173	5.4.6 (Part 7 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.42 to 6.46 (Viewpoints 12 and 13 visualisations)
APP-174	5.4.6 (Part 8 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.47 to 6.50 (Viewpoint 14 visualisations)
APP-175	5.4.6 (Part 9 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.51 to 6.53 (Viewpoint 15 visualisations)

<b>APP Reference</b>	<b>Document Reference</b>	<b>Key References</b>
APP-176	5.4.6 (Part 10 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.54 to 6.55 (Viewpoint 16 visualisations)
APP-177	5.4.6 (Part 11 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.56 to 6.57 (Viewpoint 17 visualisations)
APP-178	5.4.6 (Part 12 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.58 to 6.60 (Viewpoints 18 and 19 visualisations)
APP-179	5.4.6 (Part 13 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.61 to 6.63 (Viewpoints 21, 22 and 23 visualisations)
APP-180	5.4.6 (Part 14 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.64 to 6.67 (Viewpoints 24, 25 and 26 visualisations)
APP-181	5.4.6 (Part 15 of 15) ES Chapter 6 Landscape and Visual Figures	Figures 6.68 to 6.70 (Viewpoints 27, 28 and 29 visualisations)
APP-187	5.4.11 ES Chapter 11 Agriculture and Soils Figures	Figures 11.4 to 11.7 illustrating ALC grading on and adjacent to substation and CSEC sites.
APP-195	6.1 Consultation Report	Landscape specific responses are provided in ES Appendix 6B Technical Engagement on Landscape and Visual Assessment (Document 5.3.6B) [APP-109].
REP1-013	5.2.20 ES Addendum	Assessment of visual effects on the Traveller Encampment at Monk Fryston (Section F)

# Appendix N Landscape Underground Works

## 1.1 Underground works required for the Yorkshire GREEN Project within the Local Authorities

1.1.1 In response to Q11.1.4, Table 1.7 below provides an overview for the underground works required for the Yorkshire GREEN Project within the Local Authorities and provides the relevant references for the works plans and photomontages.

Table 1.8 – Underground works required for the Yorkshire GREEN Project within the Local Authorities

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
U1	<u>In the district of Hambleton</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section B, sheet 1 of the works plan.	APP-021	2.6.2	Section B Sheet 1	APP-171	5.4.6 (part 5)	9	6.39
U2	<u>In the city of York</u>	APP-021	2.6.2	Section B	APP-169, APP-176	5.4.6 (part 3, 10)	5 16	6.31 6.54

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
	The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section B, sheets 1 and 2 of the works plan.			Sheet 2				
U3	<u>In the city of York</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section B,	APP-021	2.6.2	Section B Sheet 2	APP-170, APP-175	5.4.6 (part 4, 9)	7 15	6.35 6.51

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
	sheet 2 of the works plan.							
U4	<u>In the city of York</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section B, sheet 3 of the works plan.	APP-021	2.6.2	Section B Sheet 3	APP-173, APP-174	5.4.6 (part 7, 8)	13 14	6.46 6.48
U5	<u>In the city of York</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of	APP-021	2.6.2	Section B Sheet 4	APP-174	5.4.6 (part 8)	14	6.49

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
	an underground cable shown on section B, sheet 3 and 4 of the works plan.							
U6	<u>In the borough of Harrogate</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section B, sheet 5 of the works plan.	APP-022	2.6.2	Section B Sheet 5	APP-181	5.4.6 (part 15)	29	6.70
U7	<u>In the district of Selby</u> The removal of a section of the existing distribution	APP-022	2.6.3	Section C Sheet 9	No viewpoints. Within the Study Area but no scope to influence potentially significant effects.			

Underground works	Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
overhead electric line and its replacement with the installation of an underground cable shown on section C, sheet 9 of the works plan.							
U8 <u>In the district of Selby</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section C, sheet 9 of the works plan.	APP-022	2.6.3	Section C Sheet 9			No viewpoints. Within the Study Area but no scope to influence potentially significant effects.	

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
U9	<p><u>In the district of Selby</u></p> <p>The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section D, sheets 1 and 2 of the works plan.</p>	APP-023	2.6.4	Section D sheet 1	APP-178, APP-179	5.4.6 (part 12, part 13)	20 21 22	6.60 6.61 6.62
U10	<p><u>In the district of Selby</u></p> <p>The diversion of an underground gas pipeline and removal of redundant section of gas pipeline shown on section D,</p>	APP-023	2.6.4	Section D sheet 1	APP-178, APP-179	5.4.6 (part 12, part 13)	19 21 22	6.59 6.61 6.62



Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
	sheet 1 of the works plan.							
U11	<u>In the district of Selby</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section E, sheet 2 of the works plan.	APP-024	2.6.5	Section E sheet 2	No viewpoints, outside the study area for the LVIA			
U12	<u>In the district of Selby</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of	APP-024	2.6.5	Section E sheet 3	No viewpoints, outside the study area for the LVIA			

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
	an underground cable shown on section E, sheet 3 of the works plan.							
U13	<u>In the district of Selby</u> The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section E, sheet 3 of the works plan.	APP-024	2.6.5	Section E sheet 3	No viewpoints, outside the study area for the LVIA			
U14	<u>In the district of Selby</u> The removal of a section of the existing distribution overhead	APP-024	2.6.5	Section E sheet 5	No viewpoints, outside the study area for the LVIA			

Underground works		Works Plan APP	Works Plan Doc	Works Plan Page	Photomontage APP	Photomontage Doc	Photomontage VP	Photomontage Figure
	electric line and its replacement with the installation of an underground cable shown on section E, sheet 5 of the works plan.							
U15	<p><u>In the district of Selby</u></p> <p>The removal of a section of the existing distribution overhead electric line and its replacement with the installation of an underground cable shown on section E, sheet 6 of the works plan.</p>	APP-024	2.6.5	Section E sheet 6	No viewpoints, outside the study area for the LVIA			

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