

Working for you

NO2N

**ENVIRONMENTAL PROTECTION ACT 1990 - Section 80**

Abatement Notice in respect of **NOISE** Nuisance

REFERENCE: **WK/141500136**

TO: **YORKSHIRE HYDRO LLP**

**TAKE NOTICE** that under the provisions of the Environmental Protection Act 1990 the Council of the Borough of Harrogate being satisfied of the existence [likely ~~occurrence~~] [recurrence] of noise amounting to a statutory nuisance under Section 79(1)(g) of that Act at the premises known as

**HYDRO-ELECTRIC PLANT MILL HOUSE MICKLEY NORTH YORKSHIRE HG4 3JE**

[within the district of the said Council] arising from

**NOISE FROM OPERATION OF HYDRO-ELECTRIC TURBINE**

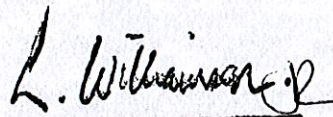
**[HEREBY REQUIRE YOU]** as the [person responsible for the said nuisance] [~~owner~~] [~~occupier~~] of the premises from which the noise is or would be emitted within **21 days**, from the service of this Notice to abate the same

**IF** without reasonable excuse you contravene or fail to comply with any requirements of this Notice you will be guilty of an offence under Section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this Notice, the Council may execute the works and recover from you the necessary expenditure incurred.

DATED: **9 APRIL 2014**

(Signed)



**DIRECTOR OF COMMUNITY**  
(The Officer appointed for this purpose)

*NB: The person served with this Notice may appeal against the Notice to a Magistrate's Court within twenty-one days beginning with the date of service of the Notice. See enclosed notes*

**SAFER COMMUNITIES SPRINGFIELD HOUSE KINGS ROAD HARROGATE HG1 5NX**  
**TEL: 01423 500600 Ext: 56633 FAX: 01423 556820**

Working for you

Yorkshire Hydro LLP

Our Ref WK/141500136/ML/AL  
Your Ref  
Date 9 April 2014

Dear Sirs

**NOISE ABATEMENT NOTICE WK/141500136  
STATUTORY NOISE NUISANCE FROM HYDROELECTRIC PLANT  
AT MILL HOUSE MICKLEY RIPON NORTH YORKSHIRE.  
SECTION 79(1) (g) and 80 ENVIRONMENTAL PROTECTION ACT 1990**

Following the receipt of recent noise nuisance complaints relating to the operation of the hydroelectric plant at the above premises, Environmental Protection Officers have witnessed noise that amounts to a statutory nuisance.

As a statutory noise nuisance has been substantiated, please find enclosed a Noise Abatement Notice served under the Environmental Protection Act 1990.

An appeal can be lodged against the Notice within 21 days of the date of its service, notes for which are enclosed.

Please keep me informed of your intentions with regard to this matter.

Yours faithfully



**MARK LEE**  
**Area Environmental Health Officer**  
mark.lee@harrogate.gov.uk  
01423 500600 extension 56927

enc