



# Proposals for new and amended standard rules for flood risk activities

## Consultation Document

Review of Flood Risk Activity Standard Rules 2018

Version 1.0 November 2018

We are the Environment Agency. We protect and improve the environment.

Acting to reduce the impacts of a changing climate on people and wildlife is at the heart of everything we do.

We reduce the risks to people, properties and businesses from flooding and coastal erosion.

We protect and improve the quality of water, making sure there is enough for people, businesses, agriculture and the environment. Our work helps to ensure people can enjoy the water environment through angling and navigation.

We look after land quality, promote sustainable land management and help protect and enhance wildlife habitats. And we work closely with businesses to help them comply with environmental regulations.

We can't do this alone. We work with government, local councils, businesses, civil society groups and communities to make our environment a better place for people and wildlife.

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# Executive Summary

## Introduction

The Environmental Permitting (England and Wales) Regulations 2016 (EPR) allow us to make standard rules to reduce the administrative burden for applicants while maintaining environmental and flood standards.

The rules take considerable time and resources to develop but once in place they make applying and determining the applications more straight forward.

This consultation is the first review of our standard rules for flood risk activities, prepared in April 2016 following flood risk activities moving into EPR. This consultation proposes amendments to the existing standard rules and the creation of three new standard rules. Our overall aim is to increase the uptake of flood risk activity standard rules permits, while maintaining our commitment to protect the environment and manage flood risk.

We have already engaged with stakeholders which we consider are representative of operators and communities likely to be affected and/or who have an interest in the standard rules. .

We would like your views on our proposals for new and amended standard rules. In particular, we wish to understand whether you feel the amendments will increase your use of flood risk activity standard rules permits and your views on how they may affect the environment and flood risks.

This consultation doesn't propose any increase in cost to any of the flood risk activity permit types. Please refer to the Environment Agency (Environmental Permitting) (England) Charging Scheme 2018 for details on permit costs:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/722656/EPR-charging-scheme-with-schedule.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/722656/EPR-charging-scheme-with-schedule.pdf)

We will take account of the consultation responses and publish the consultation response together with the amendments and new standard rules and risk assessments (if any) on GOV.UK. This will also have details of the application process for the standard rules permits.

# Contents

- Executive summary ..... 3
- 1. About this consultation ..... 5
- 2. Standard rules permits ..... 6
- 3. Proposals ..... 8
- 4. Consultation questions ..... 10
- 5. Responding to this consultation ..... 9
- 6. Appendices..... 13

# 1. About this consultation

This document is designed to help you understand and comment on our proposals. The consultation will run for 8 weeks. The document details:

- the proposed amendments to existing standard rules
- the proposals for the new standard rules and associated risk assessments
- an overview of the current uptake of flood risk activity standard rules permits.

## 1.1. What we're consulting on

Anyone carrying out works on or near a main river, flood defence structure, culvert, remote defence or sea defence or in a flood plain in England may need permission from the Environment Agency to carry out those works. Before 2016 permission for such works took the form of a flood defence consent. In April 2016 our flood defence consents were brought into EPR as flood risk activity permits. At that time, and based on the environmental and flooding risks posed, certain works were either excluded or made exempt from permitting provided certain conditions were met. We also developed standard rules which we made available for other works, again provided certain conditions were met. Operators of works not exempt, excluded or eligible for a standard rules permit could still apply to the Environment Agency for a bespoke permit.

We also introduced new, interim, charges for permits for flood risk activities in EPR in 2016.

In 2017/18 we undertook a strategic review of our charges for regulatory work, including for sectors covered by EPR. Following this, in April 2018, we moved flood risk activity permitting to a tiered approach, such that our permitting charges better reflected the cost to us of undertaking that work. This raised the cost of permits for higher risk flood risk activities.

During our review of charges we engaged with stakeholders to ensure they were aware of our proposals and had an opportunity to provide informed consultation responses. This engagement revealed some concerns about our suite of standard rules permits for flood risk activities. Feedback in particular covered the conditions and activity types contained within the standard rules. We heard from stakeholders that they felt the conditions attached to standard rules prevented their wider uptake. There was also a feeling that adding additional standard rules would be beneficial, as the list of activities covered by standard rules is limited.

We were unable to address these concerns during our charging consultation but committed to undertake a review in 18/19. This consultation is part of that review. Our aim is to assess what changes we can make to process more permit applications via the standard rules route, while maintaining our commitment to protect the environment and manage flood risk.

## 1.2. We want your views

We think that this consultation will be of particular interest to:

**Operators, trade associations and businesses:** this is your opportunity to ensure that the standard rules and generic risk assessments work for you and your industry but also provide the necessary protections to avoid flood risks and harm to the environment.

**Other regulators, the public, community groups and non-governmental organisations:** this is your opportunity to ensure that the standard rules and risk assessments work to provide the necessary protections to avoid flood risks and harm to the environment, whilst still maintaining standard rules as an achievable option.

## 2. Standard rules permits

### 2.1 What are standard rules?

Standard rules permits are environmental permits which incorporate conditions set out in generic 'standard rules' that have been published on GOV.UK. The standard rules define the activities that an operator can carry out and specify necessary restrictions on those activities, such as operating techniques to be followed and minimum distances to be maintained between the activity and protected sites e.g. Sites of Special Scientific Interest (SSSIs). An operator must comply with all the conditions set out in standard rules and incorporated into their permit.

Standard rules cover activities and locations which have a lower potential impact on flooding or the environment and which therefore require less complex controls than those imposed upon bespoke permits.

Any operator who wishes to carry out a particular flood risk activity at a particular site or sites can look at the standard rules conditions and, if they can comply with them, may decide to apply for a standard rules permit.

We are able to issue standard rules permits more quickly and cheaply because we do not need to decide upon site-specific permit conditions.

An operator who cannot meet the requirements of the standard rules may still apply for a bespoke permit and provide us with additional information to support that application. However, it takes us longer to issue a bespoke permit because we have to carry out a more detailed assessment of the application. This includes deciding whether to include site-specific conditions and consult in accordance with our public participation statement.

There is no right of appeal against the conditions contained in a standard rules permit because applying for a standard rule permit is voluntary and any applicant has an opportunity to consider the relevant conditions before choosing to apply. If an operator wants to depart from anything specified within standard rules, they must instead apply for a bespoke permit.

When developing sets of standard rules we carry out a single assessment of risk for a commonly undertaken activity. This enables us to define the risk boundary within which the standard rules can be used. This boundary comprises a number of restrictions such as size, location and operational controls. The restrictions will be those necessary to enable a consistent set of rules to reduce the risk to an acceptable level. The rules are the same for each operator carrying out that particular activity.

Standard rules and risk assessments are published on GOV.UK so that operators and the public know precisely what controls we will apply to a proposed activity.

In developing the risk boundary for each set of standard rules, we have to protect the environmental quality of some specific sensitive receptors. For example, standard rules sets may contain a rule which prohibits activities taking place within a specified distance to a Site of Special Scientific Interest (SSSI).

## 3. Proposals

### 3.1 Proposed amendments to existing standard rules

As part of our review of flood risk activity standard rules permits we have already engaged externally with stakeholders and internally with our permitting teams. This engagement highlighted that the main reason applicants were unable to comply with standard rules (so having to apply for a bespoke permit) was due to conditions establishing minimum separation distances between the activity and a protected site.

The location conditions contained in standard rules are necessary to ensure the protection of sensitive environmental features. We therefore consider that those conditions must remain in place. However, we have reviewed the separation distances to assess whether amendment to those distances would be possible whilst also ensuring risks would not thereby be increased.

The document below details the proposed amendments to the location conditions. The information is presented in tables so it's clear to the reader what is proposed. It can also be found in the Appendix on page 11.



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dments. final.docx

### 3.2 Proposed new standard rules

As part of our review of standard rules we have considered new rules for certain flood risk activities. The development of flood risk activity standard rules is complex. Standard rules assume a certain level of similarities of sites for an activity. Throughout England we have a great variation in river systems, geography and associated risks with activities. This limits our ability to develop standard rules as the number of operational conditions required in order to make the activity applicable throughout England can often make them a non-viable option.

We have, however, developed standard rules for 3 additional flood risk activities:

- Water Gates
- Mooring Piles
- Steps, ramps and other similar structures excavated into the existing bank profile.

Details of the proposed new standard rules and associated risk assessments can be found in the documents below and in the attached Appendix on page 23.

#### Water Gates:



Water Gates.  
final.docx



RA. Watergate.  
final.xlsx

#### Mooring Piles:



Mooring Pile.  
final.docx



RA. MooringPile.  
final.xlsx

#### Steps, ramps and other similar structures excavated into the existing bank profile:



Steps\_ramps\_similar RA. Steps. final.xlsx  
\_structure. final.doc



## 3.3 New standard rules charge

The proposed new standard rules will incur a £170 per single activity application. This pricing structure matches the current suite of flood risk activity standard rules.

For further information on charges, please refer to the Environment Agency (Environmental Permitting) (England) Charging Scheme 2018 for details on permit costs:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/722656/EPR-charging-scheme-with-schedule.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/722656/EPR-charging-scheme-with-schedule.pdf)

## 4. Consultation questions

We welcome your comments on the proposed amendments to the existing standard rules and the new activities considered for standard rules in general and, in particular, would value your views on the questions set out below.

1. Do you agree that the proposed amendments to the existing standard rules will make obtaining them more achievable?
2. Do you agree with the proposed amendments to the standard rules?
3. Do you agree that the proposed amendments to the existing standard rules will encourage you to use this permit type?
4. Do you agree that the proposed amendments maintain the mitigations considered for flood risk?



5. Do you agree that the proposed amendments maintain the mitigations considered for environmental risks?
6. Will you use any of the new standard rules for flood risk activities?
7. Please tell us if there are any other flood risk activities you think should be considered for standard rules. Please explain your thoughts, detailing the specific activity.
8. Please tell us if you have any further comments and provide as much information as possible to support your answer.

## 5. Responding to this consultation

### 5.1 Important dates

This consultation will start on Friday 16 November 2018 and run until 11 January 2019

### 5.2 How to respond

You can view the consultation documents and questions online at <https://consult.environment-agency.gov.uk/fcrm/standard-rules-for-flood-risk-activities>. Here you can submit your response using our online tool which will enable you to manage your comments more effectively. It will also help us to gather and summarise responses quickly and accurately as well as reduce the costs of the consultation.

If you would prefer to submit your response by email or letter, or if you would like to ask for a printed version of the document to be posted to you, please contact 03708 506506, or email [joe.march@environment-agency.gov.uk](mailto:joe.march@environment-agency.gov.uk).

However, if you would like to send your response by post, please send your completed response form by 11 January 2019 to:

Joe March  
Environment Agency  
Ghyll Mount, Gillan Way, Penrith, Cumbria, CA11 9BP

### 5.3 What will the responses be used for

This consultation proposes amendments to the existing standard rules and the creation of three new standard rules. Our overall aim is to increase the uptake of flood risk activity standard rules permits, while maintaining our commitment to protect the environment and manage flood risk.

We will use your responses to help develop the standard rules sets. We aim to publish the new standard rules sets in March 2019.

We will provide a full summary of the responses on our website by March 2019.

## 5.4 How we will use your information

The Environment Agency will look to make all responses publicly available during and after the consultation, unless you have specifically requested that we keep your response confidential.

We will not publish names of individuals who respond.

Throughout the consultation we will look to make all comments (excluding personal information) publicly available on our website. This includes comments received online, by email, post and by fax, unless you have specifically requested that we keep your response confidential. We will not publish personal data. But we will publish the name of the organisation for those responses made on behalf of organisations.

We will also publish a summary of responses on our website in which we will publish the name of the organisation for those responses made on behalf of organisations.

We will not respond individually to responses. After the consultation has closed we will publish a summary of the responses on our website and contact you to let you know when this is available.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

## 5.5 Consultation Principles

Government is improving the way it consults by adopting a more proportionate and targeted approach. We are running this consultation in accordance with their Consultation Principles.

If you have any queries or complaints about the way this consultation has been carried out, please contact:

Emma Hammonds, Consultation Coordinator  
Environment Agency  
Horizon House  
Deanery Road  
Bristol BS1 5AH  
Email: [emma.hammonds@environment-agency.gov.uk](mailto:emma.hammonds@environment-agency.gov.uk)

## 6. Appendices – proposed amendments and new standard rules

### SR2015 No.26: temporary dewatering affecting up to 20 metres of a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513747/LIT\\_10432.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513747/LIT_10432.pdf)

Current Wording	Proposed amendment
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500m of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) 100m of an area identified as containing a Priority Species or Protected Species;</p> <p>(c) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(d) 8 metres of a flood defence structure or river control work or drainage work;</p> <p>(e) 50 metres of a manmade structure in, over or under the watercourse; and</p> <p>(f) 100 metres of any non-agricultural building in the floodplain.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500m <u>upstream</u> of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p><u>(b) a 100m radius -of a European designated nature conservation site, SSSI or National Nature Reserve</u></p> <p><del>(b)</del> 100m of an area identified as containing a Priority Species or Protected Species;</p> <p><del>(c)</del> 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p><del>(d)</del> 8 metres of a flood defence structure or river control work or drainage work;</p> <p><del>(e)</del> 50 metres of a manmade structure in, over or under the watercourse; and</p> <p><del>(f)</del> 100 metres of any non-agricultural building in the floodplain</p>
<p>When referred to in an environmental permit, these rules will allow the operator to use a temporary structure (for example a cofferdam) to dewater up to 20 metres of watercourse.</p> <p>The structure shall not be in place for more than 4 weeks.</p> <p>These rules do not allow works on or within 8 metres of flood defences, or within 50 metres of other manmade structures on the river or within 100m of any non-agricultural building in the flood plain.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to use a temporary structure (for example a cofferdam) to dewater up to 20 metres of watercourse.</p> <p>The structure shall not be in place for more than 4 weeks.</p> <p>These rules do not allow works on or within 8 metres of flood defences, <u>or within 100m of a non-agricultural building, or within 50 metres of other manmade structures on the river or within 100m of any non-agricultural building in the flood plain.</u></p>

## Standard rules SR2015 No 27 – Constructing an outfall pipe of 300mm to 500mm diameter through a headwall into a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513746/LIT\\_10433.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513746/LIT_10433.pdf)

Standard rules SR2015 No 27 – Constructing an outfall pipe of 300mm to 500mm diameter through a headwall into a main river	Standard rules SR2015 No 27 – Constructing an outfall pipe <del>up to of 300mm to</del> 500mm diameter through a headwall into a main river
<p>This introductory note does not form part of these standard rules.</p> <p>When referred to in an environmental permit, these rules will allow the operator to construct on a main river an outfall of no more than 500 millimetres diameter through a headwall affecting no more than 1.5 metres of the river bank. If the diameter of the outfall is less than 300mm then the operator may be able to register an exemption.</p> <p>These rules do not allow the construction of outfalls on or within 8 metres of a flood defence; or within 50 metres of a manmade structure in, under or over the watercourse.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>	<p>This introductory note does not form part of these standard rules.</p> <p>When referred to in an environmental permit, these rules will allow the operator to construct on a main river an outfall of no more than 500 millimetres diameter through a headwall affecting no more than 1.5 metres of the river bank. If the diameter of the outfall is less than 300mm then the operator may be able to register an exemption.</p> <p>These rules do not allow the construction of outfalls on or within 8 metres of a flood defence; or within 50 metres of <u>another outfall structure on the same river bank</u> <del>bank a manmade structure in, under or over the watercourse.</del></p> <p>The activities shall be undertaken outside of the relevant fish breeding season-</p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 200m of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) 200m upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p>(d) 50m of an area identified as containing a Priority Species or Protected Species;</p> <p>(e) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(f) 8 metres of a flood defence structure, river control works or drainage work; and</p> <p>(g) 50 metres of a manmade structure in, over or under the watercourse, including on the bank.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) <u>2</u>100m of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) <u>2</u>100m upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p>(d) 50m of an area identified as containing a Priority Species or Protected Species;</p> <p>(e) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(f) 8 metres of a flood defence structure, river control works or drainage work; and</p> <p>(g) 50 metres of- <u>another outfall structure on the same river bank. bank a manmade structure in, over or under the watercourse, including on the bank.</u></p>

## SR2015 No.28: installing a clear span bridge on a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513745/LIT\\_10434.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513745/LIT_10434.pdf)

<b>Current Wording</b>	<b>Proposed amendment</b>
<p>When referred to in an environmental permit, these rules will allow the operator to construct a clear span bridge, that is a bridge has no bed or bank reinforcement or support in the watercourse. The deck width shall be no more than 4.2 metres.</p> <p>The bridge shall not be associated with the public highway. The level of the land at each end and surrounding the ramp or steps to the bridge shall not be changed by the construction.</p> <p>These rules do not allow the construction of bridges on or within 8 metres of a flood defence structure; or within 200 metres of another bridge over or culvert in the watercourse; or within 100 metres of a non-agricultural building.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to construct a clear span bridge, that is a bridge has no bed or bank reinforcement or support in the watercourse. The deck width shall be no more than 4.2 metres.</p> <p>The bridge shall not be associated with the public highway. The level of the land at each end and surrounding the ramp or steps to the bridge shall not be changed by the construction.</p> <p>These rules do not allow the construction of bridges on or within 8 metres of a flood defence structure; or within 200 metres of another bridge over or culvert in the watercourse; or within 100 metres of a non-agricultural building.</p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500m of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) 50m of a Local Nature Reserve Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species;</p> <p>(d) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(e) 100 metres of any non-agricultural building in the flood plain or another manmade structure in, over or under the watercourse;</p> <p>(f) 8 metres of a flood defence structure, river control work or drainage work; and</p> <p>(g) 200 metres of any other bridge over or culvert in the watercourse.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) <del>5</del>200m of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) 50m of a Local Nature Reserve Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species;</p> <p>(d) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(e) 100 metres of any non-agricultural building in the flood plain or another manmade structure in, over or under the watercourse;</p> <p>(f) 8 metres of a flood defence structure, river control work or drainage work; and</p> <p>(g) 200 metres of any other bridge over or culvert in the watercourse.</p>

## SR2015 No.29: temporary storage within the flood plain of a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513744/LIT\\_10435.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513744/LIT_10435.pdf)

<b>Current Wording</b>	<b>Proposed amendment</b>
<p>When referred to in an environmental permit, these rules will allow the operator to store materials within the floodplain for a period of no longer than 4 weeks and removed at the end of that time.</p> <p>These rules do not allow the materials to be stored on or within 8 metres of a flood defence structure; or within 8 metres from the river for non-tidal rivers and 16 metres for tidal rivers. All materials must be related to and stored adjacent to where specific works are carried out.</p> <p>Materials must be stored parallel to the river bank and have a 1 metre break every 10 metres.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to store materials within the floodplain for a period of no longer than <del>4</del><u>8</u> weeks and removed at the end of that time.</p> <p>These rules do not allow the materials to be stored on or within 8 metres of a flood defence structure; or within 8 metres from the river for non-tidal rivers and 16 metres for tidal rivers. All materials must be related to and stored adjacent to where specific works are carried out.</p> <p>Materials must be stored parallel to the river bank and have a 1 metre break every 10 metres.</p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on the flood plain of a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500 metres of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) 50 metres of a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) 50 metres of an area identified as containing a Priority Habitat; and</p> <p>(d) 8 metres of a flood defence structure, remote defence, sea defence, river control work or drainage work.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on the flood plain of a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) <del>5</del><u>1</u>00 metres of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>Reserve;</p> <p>(b) 50 metres of a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) 50 metres of an area identified as containing a Priority Habitat; and</p> <p>(d) 8 metres of a flood defence structure, remote defence, sea defence, river control work or drainage work.</p>

## SR2015 No.30: temporary diversion of a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513743/LIT\\_10436.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513743/LIT_10436.pdf)

Current Wording	Proposed amendment
<p>When referred to in an environmental permit, these rules will allow the operator to install a temporary structure to block the watercourse and divert the flow of water for a period of no more than 4 weeks.</p> <p>The watercourse shall be no wider than 8 metres.</p> <p>These rules do not allow the diversion of a tidal watercourse and should not be carried out within 8 metres of flood defences, within 50 metres of a manmade structure located in under or over the river.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to install a temporary structure to block the watercourse and divert the flow of water for a period of no more than 4 weeks.</p> <p>The watercourse shall be no wider than 8 metres.</p> <p>These rules do not allow the diversion of a tidal watercourse and should not be carried out within 8 metres of flood defences, <del>within 50 metres of a manmade structure located in under or over the river.</del></p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p> <p><u>The bypass channel shall be a uniform gradient.</u></p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 1 km upstream of a European designated nature conservation site, SSSI or National Nature Reserve, in each case notified for its freshwater habitats or species;</p> <p>(b) 500 metres of any European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(c) 50 metres of a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p>(d) 50 metres of an area identified as containing a Priority Habitat;</p> <p>(e) 1 km upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p>(e) 100 metres of an area identified as containing a Priority Species or Protected Species;</p> <p>(f) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(g) 8 metres of a flood defence structure, river control work or drainage work;</p> <p>(h) 50 metres of any other manmade structure located in, over or under the channel;</p> <p>(i) 100 metres of any non-agricultural building in the floodplain; and</p> <p>(j) a tidal river.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 1 km upstream of a European designated nature conservation site, SSSI or National Nature Reserve, in each case notified for its freshwater habitats or species;</p> <p><del>(b)</del> <u>a 100m radius of any European designated nature conservation site, SSSI or National Nature Reserve;</u></p> <p><del>(d)</del> 50 metres of a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p><del>(e)</del> 50 metres of an area identified as containing a Priority Habitat;</p> <p><del>(f)</del> 1 km upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p><del>(g)</del> 100 metres of an area identified as containing a Priority Species or Protected Species;</p> <p><del>(h)</del> 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p><del>(i)</del> 8 metres of a flood defence structure, river control work or drainage work;</p> <p><del>(h)</del> 50 metres of any other manmade structure located in, over or under the channel;</p> <p><del>(k)</del> 100 metres of any non-agricultural building in the floodplain; and</p> <p>(j) a tidal river.</p>

## SR2015 No.31: channel habitat structure made of natural materials

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513742/LIT\\_10437.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513742/LIT_10437.pdf)

Current Wording	Proposed amendment
<p>When referred to in an environmental permit, these rules will allow the operator to install a habitat structure made of natural materials occupying up to 100m of a main river.</p> <p>The structures must occupy less than half of the watercourse width and less than 100m of the length of the watercourse, and less than a quarter of the bank height.</p> <p>These rules do not allow the activity on or within 8 metres of flood defences or within 50 metres of other manmade structures located in or on the watercourse.</p> <p>The activity shall be undertaken outside of the relevant fish breeding season.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to install a habitat structure made of natural materials occupying up to 100m of a main river.</p> <p>The structures must occupy less than half of the watercourse width and less than 100m of the length of the watercourse, and less than a quarter of the bank height.</p> <p>These rules do not allow the activity on or within 8 metres of flood defences or within 50 metres of <u>river control works</u>, <del>other manmade structures located</del> in or on the watercourse.</p> <p>The activity shall be undertaken outside of the relevant fish breeding season.</p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500 metres of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p>(c) 500 metres upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p>(d) 50 metres of an area identified as containing a Priority Species or Protected Species;</p> <p>(e) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(f) 8 metres of a flood defence structure, river control work, or drainage work; and</p> <p>(g) 50 metres of a manmade structure located in, over or under the watercourse.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500 metres <u>upstream</u> of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p><u>(b) a 100m radius of any European designated nature conservation site, SSSI or National Nature Reserve;</u></p> <p><del>(b)</del> (c) a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p><del>(d)</del> (e) 500 metres upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p><del>(e)</del> (f) 50 metres of an area identified as containing a Priority Species or Protected Species;</p> <p><del>(f)</del> (g) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p><del>(g)</del> (h) 8 metres of a flood defence structure <u>(including where the channel acts as a flood defence structure)</u>, river control work, or drainage work; and</p> <p><del>(h)</del> (i) 50 metres of a manmade structure located in, over or under the watercourse.</p>



## SR2015 No.32: installing a access culvert of no more than 5 metres length

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513741/LIT\\_10438.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513741/LIT_10438.pdf)

<b>Current Wording</b>	<b>Proposed amendment</b>
<p>When referred to in an environmental permit, these rules will allow the operator to install a culvert of no more than 5 metres length. The watercourse should be no more than 2 metres wide, measured inside the channel from the foot of its banks on each side.</p> <p>These rules do not allow the installation of culverts within 8 metres of a flood defence or 50 metres of another manmade structure in, under or over the watercourse.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to install a culvert of no more than 5 metres length. The watercourse should be no more than 2 metres wide, measured inside the channel from the foot of its banks on each side.</p> <p>These rules do not allow the installation of culverts within 8 metres of a flood defence or 50 metres of another manmade structure in, under or over the watercourse.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500 metres of a European designated nature conservation site, SSSI or National Nature Reserve and 1 km upstream of any such site notified for its freshwater habitats or species;</p> <p>(b) a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(c) 1 km upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p>(d) 50 metres of an area identified as containing a Priority Species or Protected Species;</p> <p>(e) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(f) 100 metres of any non-agricultural building in the flood plain or any man-made structure on or in, over or under the watercourse;</p> <p>(g) 8 metres of a flood defence structure, river control work or drainage work; and</p> <p>(h) 200 metres of any other bridge over or culvert in the watercourse.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500m <u>upstream</u> of a European designated nature conservation site, SSSI or National Nature Reserve and <del>1</del> <del>500</del>m upstream of any such site notified for its freshwater habitats or species;</p> <p><u>(b) a 100m radius of a European designated nature conservation site, SSSI or National Nature Reserve;</u></p> <p><del>(c)</del> a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p><del>(d)</del> <del>1</del> <del>500</del>m upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p><del>(e)</del> 50 metres of an area identified as containing a Priority Species or Protected Species;</p> <p><del>(f)</del> 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p><del>(g)</del> 100 metres of any non-agricultural building in the flood plain <del>or any man-made structure</del> on or in, over or under the watercourse;</p> <p><del>(h)</del> 8 metres of a flood defence structure, river control work or drainage work; and</p> <p><del>(i)</del> 200 metres of any other bridge over or culvert in the watercourse.</p>

## SR2015 No.33: repairing and protecting up to 20 metres of the bank of a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/514626/LIT\\_10439.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514626/LIT_10439.pdf)

Current Wording	Proposed amendment
<p>When referred to in an environmental permit, these rules will allow the operator to carry out work to repair and protect the bank using natural materials ; for example willow for willow spilling, or hurdles made from hazel. The length of the river bank affected by the activities shall be less than 20 metres.</p> <p>These rules do not allow the activities on or within 8 metres of flood defences; or within 50 metres of another section of the river bank that has been reinforced.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to carry out work to repair and protect the bank using natural materials ; for example willow for willow spilling, or hurdles made from hazel. The length of the river bank affected by the activities shall be less than 20 metres.</p> <p>These rules do not allow the activities on or within 8 metres of flood defences; <del>or within 50 metres of another section of the river bank that has been reinforced.</del></p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 200 metres of a European designated nature conservation site, SSSI or National Nature Reserve, and 1 km of such a site notified for its freshwater habitats or species;</p> <p>(b) a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p>(c) 1 km upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p>(d) 50 metres of an area identified as containing a Priority Species or Protected Species;</p> <p>(e) 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p>(f) 8 metres of a flood defence structure, river control structure or drainage work; and</p> <p>(g) 50 metres of another section of bank that has been reinforced.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 200 metres <u>upstream</u> of a European designated nature conservation site, SSSI or National Nature Reserve, and <del>1</del> <u>100m</u> of such a site notified for its freshwater habitats or species;</p> <p><del>(b)</del> <u>a 100m radius of a European designated nature conservation site, SSSI or National Nature Reserve;</u></p> <p><del>(c)</del> a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p><del>(d)</del> <u>1-100m</u> upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river or freshwater habitat;</p> <p><del>(e)</del> 50 metres of an area identified as containing a Priority Species or Protected Species;</p> <p><del>(f)</del> 100 metres upstream or downstream of a water body classified as having high morphological status;</p> <p><del>(g)</del> 8 metres of a flood defence structure, river control structure or drainage work; and</p> <p>(g) 50 metres of another section of bank that has been reinforced <u>in the last 2 years</u>.</p>

## SR2015 No.34: temporary scaffolding affecting up to 20 metres length of a main river

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513739/LIT\\_10440.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513739/LIT_10440.pdf)

Current Wording	Proposed amendment
<p>When referred to in an environmental permit, these rules will allow the operator to erect and use temporary scaffolding affecting up to 20 metres length of a watercourse that is a main river for a maximum of 4 weeks.</p> <p>The watercourse must be at least 4 metres in width.</p> <p>These rules do not allow the erection or use of scaffolding on or within 8 metres of flood defences.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to erect and use temporary scaffolding affecting up to 20 metres length of a watercourse that is a main river for a maximum of <b>4 8</b> weeks.</p> <p><del>The watercourse must be at least 4 metres in width.</del></p> <p>These rules do not allow the erection or use of scaffolding on or within 8 metres of flood defences.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>
<p>The scaffolding shall project into or over the main river by no more than 1.5 metres from the bank.</p>	<p>The scaffolding shall project into or over the main river by no more than 1.5 metres <b>from the bank or 10% of the channel width, whichever is least</b><del>ss from the bank.</del></p>
<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.2 The activities shall not be carried out within:</p> <p>(a) 200 metres of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p>(b) 8 metres of a flood defence structure or river control work; and</p> <p>(c) 50 metres of any other temporary scaffolding.</p>	<p>2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river.</p> <p>2.2.2 The activities shall not be carried out within:</p> <p>(a) 200 metres <b>upstream</b> of a European designated nature conservation site, SSSI or National Nature Reserve;</p> <p><b>(b) a 100 metres radius of a European designated nature conservation site, SSSI or National Nature Reserve;</b></p> <p><del>(c)</del> 8 metres of a flood defence structure or river control work; and</p> <p><del>(d)</del> 50 metres of any other temporary scaffolding.</p>

## SR2015 No.35: excavating a wetland or pond in a main river floodplain

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513734/LIT\\_10441.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513734/LIT_10441.pdf)

<i><b>Current Wording</b></i>	<i><b>Proposed amendment</b></i>
<p>The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river floodplain.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500 metres of a European designated nature conservation site, SSSI or National Nature Reserve, in each case notified for its freshwater habitats or species;</p> <p>(b) 200 metres of a European designated nature conservation site, SSSI or National Nature Reserve not within (a);</p> <p>(c) 50 metres of a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p>(d) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species; and</p> <p>(e) 8 metres of a flood defence structure, remote defence, sea defence, river control work or drainage work.</p>	<p>The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.</p> <p>2.2.2 The activities shall only be carried out on a main river floodplain.</p> <p>2.2.3 The activities shall not be carried out within:</p> <p>(a) 500 metres <u>upstream</u> of a European designated nature conservation site, SSSI or National Nature Reserve, in each case notified for its freshwater habitats or species;</p> <p>(b) <u>a 2100 metres radius</u> of a European designated nature conservation site, SSSI or National Nature Reserve not within (a);</p> <p>(c) 50 metres of a Local Nature Reserve, Local Wildlife Site, Ancient woodland or Scheduled Monument;</p> <p>(d) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species; and</p> <p>(e) 8 metres of a flood defence structure, remote defence, sea defence, river control work or drainage work.</p>

**SR2015 No.36: installing and using site investigation boreholes and temporary trial pits within a main river floodplain for a period of up to 4 weeks**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513732/LIT\\_10442.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513732/LIT_10442.pdf)

<b><i>Current Wording</i></b>	<b><i>Proposed amendment</i></b>
(a) 200 metres of a European designated nature conservation site, SSSI or a National Nature Reserve; (b) 5 metres of any culvert (measured from the outside edge of the culvert structure) or remote defence; and (c) 8 metres of a flood defence structure, river control work or drainage work.	(a) <del>2</del> 100 metres of a European designated nature conservation site, SSSI or a National Nature Reserve; (b) 5 metres of any culvert (measured from the outside edge of the culvert structure) or remote defence; and (c) 8 metres of a flood defence structure, river control work or drainage work.

## SR2015 No.38: removing a total of 100 metres of exposed gravel from bars and shoals

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513727/LIT\\_10443.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513727/LIT_10443.pdf)

<b>Current Wording</b>	<b>Proposed amendment</b>
<p>When referred to in an environmental permit, these rules will allow the operator to remove up to 100 metres of exposed gravel from bars and shoals over 1000 metres of watercourse length on a main river.</p> <p>These rules do not allow the dredging to be carried out within 8 metres of a flood defence or drainage work.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>	<p>When referred to in an environmental permit, these rules will allow the operator to remove up to 100 metres of exposed gravel from bars and shoals over 1000 metres of watercourse length on a main river.</p> <p>These rules do not allow the dredging to be carried out within 8 metres of a flood defence or drainage work.</p> <p>The activities shall be undertaken outside of the relevant fish breeding season.</p>
<p>The activity shall not be carried out upon the same part of a watercourse where any removal of gravel has been carried out within the previous 5 years.</p>	<p>The activity shall not be carried out upon the same part of a watercourse where any removal of gravel has been carried out within the previous <del>5</del> years.</p>
<p>The activity shall not be carried out where established vegetation is growing in or on the gravel, unless the vegetation consists solely of invasive non-native species.</p>	<p>The activity shall not be carried out where <u>perennial vegetation has become established such as; trees, bushes, shrubs and taller grasses.</u> <del>established vegetation is growing in or on the gravel, unless the vegetation consists solely of invasive non-native species.</del></p>
<p>The activities shall not be carried out within:</p> <p>(a) any distance upstream of a European designated nature conservation site, SSSI or a National Nature Reserve that has, in each case, been notified for its freshwater habitats or species;</p> <p>(b) 1 km upstream of any European designated nature conservation site, SSSI or National Nature Reserve not within (a);</p> <p>(c) a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(d) 1 km upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river and freshwater habitats;</p> <p>(e) 100 metres of an area identified as containing a Priority Species or Protected Species;</p> <p>(f) 1 kilometre upstream or 500 metres downstream of a water body classified as having high morphological status;</p> <p>(g) a watercourse identified as a designated sensitive water body;</p> <p>(h) a watercourse identified as a water body sensitive to gravel removal; and</p> <p>(i) 8 metres of a flood defence structure, river control work, or drainage work.</p>	<p>The activities shall not be carried out within:</p> <p>(a) <del>any distance</del> <u>3km</u> upstream of a European designated nature conservation site, SSSI or a National Nature Reserve that has, in each case, been notified for its freshwater habitats or species;</p> <p>(b) 1 km upstream of any European designated nature conservation site, SSSI or National Nature Reserve not within (a);</p> <p>(c) a Local Nature Reserve, Local Wildlife Site, Ancient Woodland or Scheduled Monument;</p> <p>(d) 1 km upstream of an area identified as containing a Priority Habitat that has been selected for the importance of its river and freshwater habitats;</p> <p>(e) 100 metres of an area identified as containing a Priority Species or Protected Species;</p> <p>(f) 1 kilometre upstream or 500 metres downstream of a water body classified as having high morphological status;</p> <p>(g) a watercourse identified as a designated sensitive water body;</p> <p>(h) a watercourse identified as a water body sensitive to gravel removal; and</p> <p>(i) 8 metres of a flood defence structure, river control work, or drainage work.</p>



Environment -  
Agency

## **Standard rules**

Chapter 4, The Environmental Permitting  
(England and Wales) Regulations 2016

# **Draft Standard rules SR2018 No ? – Installation of water gates across a main river**

## **Introductory note**

This introductory note does not form part of these standard rules.

When referred to in an environmental permit, these rules will allow the operator to install water gates across a main river.

These rules do not allow water gates which are static and do not move with the flow of the watercourse. The frame of the structure from which the swinging gate hangs must not encroach into the bed of the main river channel.

These rules do not allow the construction of water gates within 8 metres of a flood defence structure; or within 100 metres of a non-agricultural building.

The activity shall be undertaken outside of the relevant fish breeding season.

**End of introductory note**

# Rules

## 1 – Management

### 1.1 General management

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

## 2 – Operations

### 2.1 Permitted activities

2.1.1 The operator is only authorised to carry out the activities specified in table 2.1 below (“the activities”).

Table 2.1 Activities	
Description of activities	Limits of activities
Installation of water gates across a main river.	<p>The activity shall be completed within 6 months of issue of this permit.</p> <p>The watercourse shall be no wider than 8 metres measured from the bank top on one side to the bank top at the other side, at the location where the water gate is installed.</p> <p>The activity shall not affect more than 2m width of the river bank.</p> <p>The activity shall not be carried out within 100m of a non-agricultural building.</p> <p>The frame shall not project into the channel.</p> <p>The section which spans the watercourse must be able to move with the flow.</p>



	<p>The spacing of the sections spanning the watercourse shall be at least 100mm.</p> <p>The land on either bank will not be raised as part of the works.</p>
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- 2.1.2 The activities shall be undertaken outside of the relevant fish breeding season

## 2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.
- 2.2.2 The activities shall only be carried out on a main river.
- 2.2.2 The activities shall not be carried out on or within:
- (a) 100m of designated nature conservation sites;
  - (b) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species;
  - (c) 50m of a Local Nature Reserve Local Wildlife Site, Ancient Woodland or Scheduled Monument;
  - (b) 8 metres of a flood defence structure, river control work or drainage work;
  - (c) 100m of a non-agricultural building; or
  - (d) 100 metres upstream or downstream of a water body classified as having high morphological status.

## 2.3 – Operating techniques

- 2.3.1 The operator shall use appropriate measures: (a) to minimise sediment mobilisation; (b) to minimise impact on biodiversity;
- (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
  - (d) for the storage and disposal of waste produced; and
  - (e) to prevent and minimise environmental harm.
- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 The operator shall reinstate the bed and banks of the watercourse to their condition immediately before the activity commenced.

## 4 – Information

### 4.1 Records

- 4.1.1 All records required to be made by this permit shall: (a)  
be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
- (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.
- 4.1.2 The operator shall keep all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

### 4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

### 4.3 Notifications

- 4.3.1 The Environment Agency shall be notified without delay following the detection of any significant environmental effects resulting from the activity or of any breach of the permit.
- 4.3.2 Written confirmation of actual or potential incidents or effects and breaches referred to in 4.3.1 shall be submitted within 24 hours.
- 4.3.3 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company: (a)

- any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

### 4.4 Interpretation

- 4.4.1 In this permit the expressions listed below shall have the meaning given.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.

4.4.4 Any reference to a distance of a number of metres from any flood defence structure or drainage work is a reference to that distance as measured from the foot of the flood defence structure or drainage work, as the case may be.

*“designated nature conservation sites”* means:

(a) a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017 ;

(b) a Ramsar site (a wetland of international importance, designated under the Ramsar Convention) within the meaning of section 37A of the Wildlife and Countryside Act 1981. It is government policy to treat Ramsar sites the same as the European sites referred to in (a); and

(c) a site of special scientific interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

*“environmental effects”* means:

(a) flooding or risk of flooding;

(b) harm to the environment or risk of harm to the environment; and

(c) detrimental impact on drainage or risk of detrimental impact on drainage.

*“environmental harm”* means a result of human activity which may:

(a) cause harm to the conservation, protection and enhancement of any species and habitats designated under any enactment as having special protection or priority;

(b) prevent the achievement of environmental objectives within the meaning of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 ; (c) cause pollution or;

(d) otherwise adversely affect the protection and enhancement of the environment.

*“main river”* means a watercourse or part of a watercourse designated as main river on the statutory main river map held by the Environment Agency.

*“year”* means calendar year commencing on 1<sup>st</sup> January.

*“the relevant fish breeding season”* means 15<sup>th</sup> March to 15<sup>th</sup> June for cyprinid waters; and 1<sup>st</sup> October to 31<sup>st</sup> May for salmonid waters.

*“salmonid waters”* and *“cyprinid waters”* respectively mean a water body classified under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 as supporting a sustainable fish population dominated by salmonid species or cyprinid species respectively within the meaning of the River Basin Districts Typology, Standards and Groundwater threshold values (Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015).

*“Rapid Response Catchment”* means a group of rivers and streams (including smaller tributaries and ordinary watercourses) that we expect to react rapidly to extreme rainfall, resulting in extreme flash flooding. The Environment Agency maintains records of rapid response catchments that it updates from time to time

**End of Draft standard rules**



## **Standard rules**

Chapter 4, The Environmental Permitting  
(England and Wales) Regulations 2016

# **Draft Standard rules SR2018 No? – Installation of mooring pile in a main river**

## **Introductory note**

This introductory note does not form part of these standard rules.

When referred to in an environmental permit these rules will allow the operator to install a mooring pile within a main river.

These rules are for singular installation of a mooring pile and do not allow multiple mooring piles or installation of a mooring pile further than 10% of the channel width away from the river bank.

These rules do not allow the activities on or within 8 metres of flood defence structures; or within 50 metres of another mooring pile.

The longest face of the mooring pile will be parallel to the flow of the main river.

The activity shall be undertaken outside of the relevant fish breeding season.

**End of introductory note**

# Rules

## 1 – Management

### 1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
  - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

## 2 – Operations

### 2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in table 2.1 below (“the activities”).

Table 2.1 Activities	
Description of activities	Limits of activities
Installation of mooring pile within a main river.	<p>The activity shall be completed within 6 months of issue of this permit.</p> <p>The activity shall not affect more than 1m width of the river bank.</p> <p>The activity is for a singular pile.</p> <p>The mooring pile will be securely fixed to bed of the river.</p> <p>The mooring pile shall be installed no further than 10% of the channel width away from the river bank</p>

- 2.1.2 The activities shall be undertaken outside of the relevant fish breeding season

## **2.2 The site**

- 2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.
- 2.2.2 The activities shall only be carried out on a main river.
- 2.2.2 The activities shall not be carried out on or within:
- (a) 100m of designated nature conservation sites;
  - (b) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species;
  - (c) 50m of a Local Nature Reserve Local Wildlife Site, Ancient Woodland or Scheduled Monument;
  - (b) 8 metres of a flood defence structure, river control work or drainage work;
  - (c) 100m of a non-agricultural building; or
  - (d) 100 metres upstream or downstream of a water body classified as having high morphological status.

## **2.3 – Operating techniques**

- 2.3.1 The operator shall use appropriate measures:
- (a) to minimise sediment mobilisation;
  - (b) to minimise impact on biodiversity;
  - (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
  - (d) for the storage and disposal of waste produced;
  - (e) to prevent and minimise environmental harm; and
  - (f) no heavy machinery is to be used on the bed or banks of the river in undertaking the activity
- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 The operator shall reinstate the bed and banks of the watercourse to their condition immediately before the activity commenced.

# **4 – Information**

## **4.1 Records**

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.

- 4.1.2 The operator shall keep all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

## 4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

## 4.3 Notifications

- 4.3.1 The Environment Agency shall be notified without delay following the detection of any significant environmental effects resulting from the activity or of any breach of the permit.
- 4.3.2 Written confirmation of actual or potential incidents or effects and breaches referred to in 4.3.1 shall be submitted within 24 hours.
- 4.3.3 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

## 4.4 Interpretation

- 4.4.1 In this permit the expressions listed below shall have the meaning given.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.
- 4.4.4 Any reference to a distance of a number of metres from any flood defence structure or drainage work is a reference to that distance as measured from the foot of the flood defence structure or drainage work, as the case may be.

*"designated nature conservation sites"* means:

- (a) a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017 ;
- (b) a Ramsar site (a wetland of international importance, designated under the Ramsar Convention) within the meaning of section 37A of the Wildlife and Countryside Act 1981. It is government policy to treat Ramsar sites the same as the European sites referred to in (a); and
- (c) a site of special scientific interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

*"environmental effects"* means:

- (a) flooding or risk of flooding;
- (b) harm to the environment or risk of harm to the environment; and
- (c) detrimental impact on drainage or risk of detrimental impact on drainage.

*“environmental harm”* means a result of human activity which may:

- (a) cause harm to the conservation, protection and enhancement of any species and habitats designated under any enactment as having special protection or priority;
- (b) prevent the achievement of environmental objectives within the meaning of Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- ; (c) cause pollution or;
- (d) otherwise adversely affect the protection and enhancement of the environment.

*“main river”* means a watercourse or part of a watercourse designated as main river on the statutory main river map held by the Environment Agency.

*“year”* means calendar year commencing on 1<sup>st</sup> January.

*“the relevant fish breeding season”* means 15<sup>th</sup> March to 15<sup>th</sup> June for cyprinid waters; and 1<sup>st</sup> October to 31<sup>st</sup> May for salmonid waters.

*“salmonid waters”* and *“cyprinid waters”* respectively mean a water body classified under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 as supporting a sustainable fish population dominated by salmonid species or cyprinid species respectively within the meaning of the River Basin Districts Typology, Standards and Groundwater threshold values (Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015).

*“Rapid Response Catchment”* means a group of rivers and streams (including smaller tributaries and ordinary watercourses) that we expect to react rapidly to extreme rainfall, resulting in extreme flash flooding. The Environment Agency maintains records of rapid response catchments that it updates from time to time

**End**





## **Standard rules**

Chapter 4, The Environmental Permitting  
(England and Wales) Regulations 2016

# **Draft Standard rules SR2018 No? – Steps, ramps and other similar structures excavated into the existing bank profile.**

## **Introductory note**

This introductory note does not form part of these standard rules.

When referred to in an environmental permit, these rules will allow the operator to install steps, ramps and other similar structures excavated into the existing bank profile.

These rules do not allow the permitted activity, to be constructed using concrete or other hard engineered approaches, or to contain handrails or any other structure which is not maintaining the exiting profile.

These rules don't allow the permitted activity, to be carried on flood defences.

The activity shall be undertaken outside of the relevant fish breeding season.

These rules do not allow the permitted activity to be undertaken within 8 metres of a flood defence; or within 50 metres of other steps, ramps and other similar structures excavated into the existing bank profile.

**End of introductory note**

# Rules

## 1 – Management

### 1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
  - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

## 2 – Operations

### 2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in table 2.1 below (“the activities”).

Table 2.1 Activities	
Description of activities	Limits of activities
<p>Installation of:</p> <ul style="list-style-type: none"><li>• steps excavated into the bank profile;</li><li>• ramps excavated into the bank profile; and</li><li>• similar structures excavated into the bank profile</li></ul>	<p>The activity shall be completed within 6 months of issue of this permit.</p> <p>The activity shall not affect more than 1.5m width of the river bank.</p> <p>The activity shall not be carried out within 100m of a non-agricultural building.</p> <p>The activity shall not lead to any structure encroaching into the channel.</p> <p>The activity shall not affect the river flow.</p> <p>The activity shall not be undertaken using machinery.</p>

- 2.1.2 The activities shall be undertaken outside of the relevant fish breeding season

## **2.2 The site**

- 2.2.1 The activities shall not extend beyond the site, being the land edged in green on the site plan attached to the permit.
- 2.2.2 The activities shall only be carried out on a main river.
- 2.2.2 The activities shall not be carried out on or within:
- (d) 500m upstream of designated nature conservation sites
  - (e) 100m of designated nature conservation sites;
  - (f) 50m of an area identified as containing a Priority Habitat or Priority Species or Protected Species;
  - (g) 50m of a Local Nature Reserve Local Wildlife Site, Ancient Woodland or Scheduled Monument;
  - (b) 8 metres of a flood defence structure, river control work or drainage work;
  - (c) 100m of a non-agricultural building; or
  - (d) 100 metres upstream or downstream of a water body classified as having high morphological status.

## **2.3 – Operating techniques**

- 2.3.1 The operator shall use appropriate measures:
- (a) to minimise sediment mobilisation;
  - (b) to minimise impact on biodiversity;
  - (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
  - (d) for the storage and disposal of waste produced; and
  - (e) to prevent and minimise environmental harm.
- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 The operator shall reinstate the bed and banks (banks either side of the permitted activity installation) of the watercourse to their condition immediately before the activity commenced.

# **4 – Information**

## **4.1 Records**

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.

- 4.1.2 The operator shall keep all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

## 4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

## 4.3 Notifications

- 4.3.1 The Environment Agency shall be notified without delay following the detection of any significant environmental effects resulting from the activity or of any breach of the permit.
- 4.3.2 Written confirmation of actual or potential incidents or effects and breaches referred to in 4.3.1 shall be submitted within 24 hours.
- 4.3.3 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

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Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
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## 4.4 Interpretation

- 4.4.1 In this permit the expressions listed below shall have the meaning given.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.
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*"designated nature conservation sites"* means:

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*“year”* means calendar year commencing on 1<sup>st</sup> January.

*“the relevant fish breeding season”* means 15<sup>th</sup> March to 15<sup>th</sup> June for cyprinid waters; and 1<sup>st</sup> October to 31<sup>st</sup> May for salmonid waters.

*“salmonid waters”* and *“cyprinid waters”* respectively mean a water body classified under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 as supporting a sustainable fish population dominated by salmonid species or cyprinid species respectively within the meaning of the River Basin Districts Typology, Standards and Groundwater threshold values (Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015).

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**End of Draft standard rules**

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