

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

The Wild Trout Trust Limited

Construction of an easement for a fish passage at the Conjure Alders Weir including temporary dewatering

National Grid Reference: SK 66022 72114

Conjure Alders Weir on the River Meden, near Perlethorpe, Nottinghamshire, DN22 8EA

Permit number

EPR/AB3356SA

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

Construction of an easement for a fish passage at the Conjure Alders Weir including temporary dewatering using cofferdams at the Conjure Alders Weir. This work is being done on behalf of the Environment Agency.

The status log of the permit does not form part of the permit. It sets out the permitting history, including changes to the permit or permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/AB3356SA	Duly made 26/11/2020	Application for construction of an easement for a fish passage at the Conjure Alders including temporary dewatering
Additional information received	10/12/2020	Revised Method of Works
Permit determined EPR/AB3356SA	05/01/2021	Permit issued to The Wild Trout Trust Limited

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/AB3356SA

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

The Wild Trout Trust Limited (“the operator”)

whose registered office is

13-17 Paradise Square
Sheffield
South Yorkshire
S1 2DE

company registration number 03345901

to operate the following flood risk activities:

Construction of an easement for a fish passage at the Conjure Alders Weir including temporary dewatering

The works involve the following activities:

P1: Construction of an easement for a fish passage at the Conjure Alders Weir


T1: Temporary dewatering at the Conjure Alders Weir

at

Conjure Alders Weir on the River Meden, near Perlethorpe, Nottinghamshire, DN22 8EA

National Grid Reference: SK 66022 72114

to the extent authorised by and subject to the conditions of this permit.

Name	Date
 Joe March, Senior Advisor Business Implementation and Skills Flood & Coastal Risk Management Directorate	23 December 2020

Authorised on behalf of the Environment Agency

Conditions

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 so far as is reasonably practicable, including those risks 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 schedule 1 table S1.1 (the “activities”).

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 2 to this permit and showing National Grid Reference SK 66022 72114.

2.3 Operating techniques

- 2.3.1 The operator shall use appropriate measures, including but not limited to those in the approved Method of Work:
- (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 Measures shall be taken to ensure that the activities do not cause the spread of invasive non-native species or plant or animal diseases.
- 2.3.4 Measures shall be taken to ensure that fish will be protected.
- 2.3.5 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

3 Information

3.1 Records

- 3.1.1 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.
- 3.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

3.2 Reporting

- 3.2.1 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.

3.3 Notifications

- 3.3.1 The Environment Agency shall be notified no less than 7 days before the commencement of the activities.
- 3.3.2 Environment Agency shall be notified no less than 7 days after the activities are completed.
- 3.3.3 The Environment Agency shall be notified without delay following the detection of any breach of a limit specified in the permit or any significant environmental effects resulting from the activities or of any breach of the permit.
- 3.3.4 Written confirmation of actual or potential incidents or effects and breaches referred to in 3.3.3 shall be submitted within 24 hours.
- 3.3.5 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.
- In any other case:
- (a) the death of any of the named operators (where the operator consists of more than one named individual);
 - (b) any change in the operator's name(s) or address(es); and
 - (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

- 3.3.6 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for flood risk, drainage or the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:
- (a) the Environment Agency shall be notified at least 14 days before making the change; and
 - (b) the notification shall contain a description of the proposed change in operation.

3.4 Interpretation

- 3.4.1 In this permit the expressions listed in schedule 3 shall have the meaning given in that schedule.
- 3.4.2 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.
- 3.4.3 Any reference to a distance of a number of metres from a flood defence structure, drainage work, remote defence or sea defence is a reference to that distance as measured from the foot of the foregoing as the case may be.
- 3.4.4 Any reference to a distance of a number of metres from a river control work is a reference to that distance as measured from the nearest part of the river control work.
- 3.4.5 Any reference to a distance of a number of metres from a watercourse is a reference to that distance as measured horizontally from the foot of the bank on the landward side of the watercourse

Schedule 1 – Operations

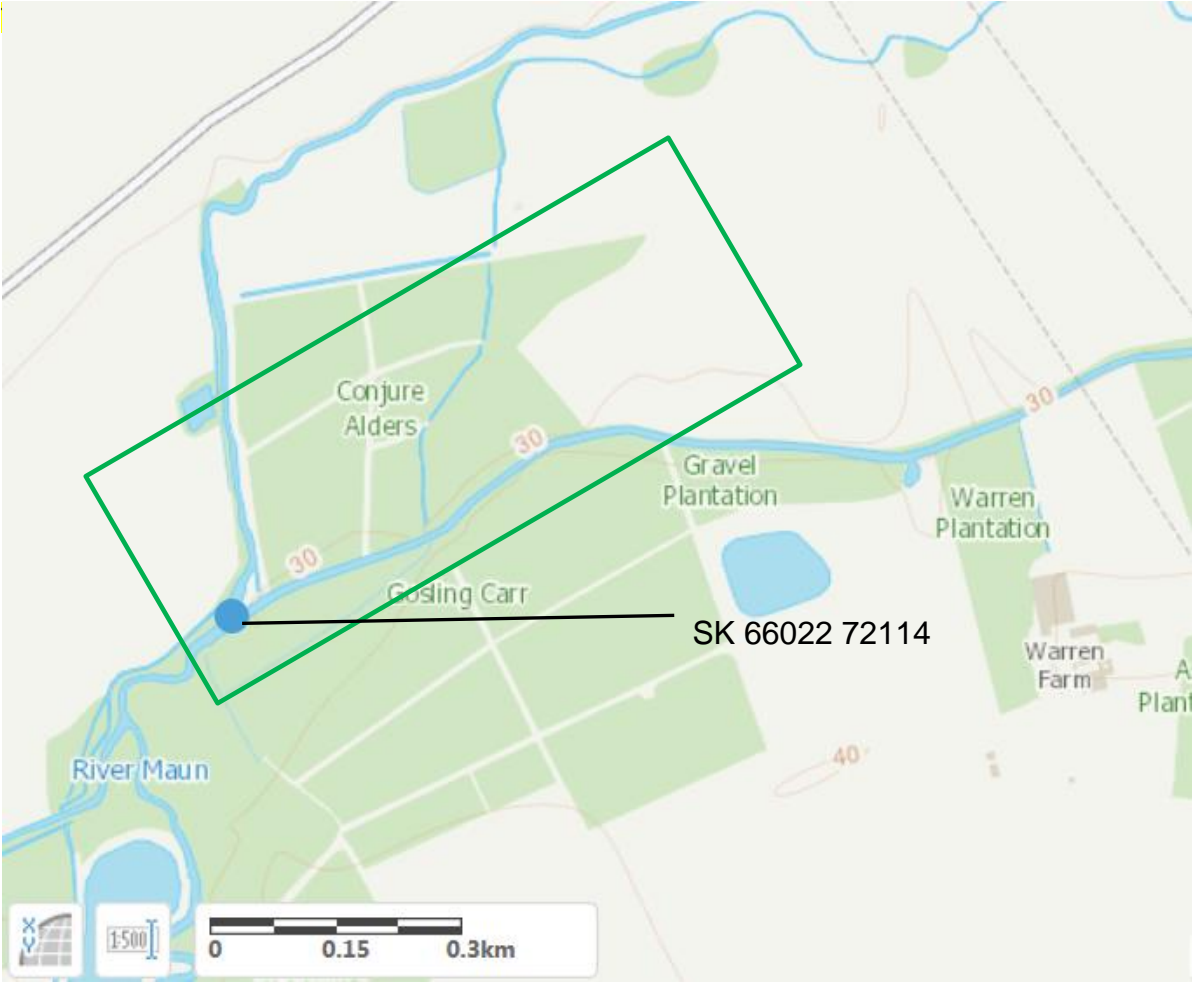
Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Permanent Works	
P1	Construction of an easement for a fish passage	<p>The activity shall be commenced within 9 of the date of the grant of the permit and completed within 12 months of commencement.</p> <p>The activities shall be carried out in accordance with:</p> <ul style="list-style-type: none"> - the application form dated 30/10/2020 - drawing reference ‘201210-02587-Conjur Alders-Detailed Design-P02’ received on 10/12/2020 - report reference ‘Buildability Statement’ received on 30/10/2020 - report reference ‘risk assessment’ received on 30/10/2020 - report reference ‘ground investigation’ received on 30/10/2020 <p>The activities shall be undertaken outside of the period from 8 October to 15 June inclusive to protect spawning fish and their spawn.</p>

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Temporary or enabling works	
T1	Use of temporary structures (including cofferdams) for dewatering	<p>The activity shall be commenced within 9 months of the date of the grant of the permit and completed within 12 months of commencement.</p> <p>The dewatering structure shall be in place for no more than 3 weeks.</p> <p>The activities shall be undertaken outside of the period from 8 October to 15 June inclusive to protect spawning fish and their spawn.</p>

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
Condition 2.3.1	Approved Method of Work	Ref_05_Management System	10/12/2020
Condition 2.3.1 (a) to minimise impact on biodiversity	If clearance work is undertaken during the nesting season, a breeding bird survey shall be carried out by a suitably qualified and /or experienced person, if birds' nests are found works must not commence until mitigation measures are in place'	Ref_05_Management System	10/12/2020
Condition 2.3.1 (a) to minimise impact on biodiversity	The ecologist should be suitably qualified to advise on each specie and should hold the relevant bat licence with Natural England.	Ref_05_Management System and email received from Tim Jacklin 'RE: EPR/AB3356SA - Request for further information (Schedule 5)'	10/12/2020
Condition 2.3.1(c) to ensure there is no increase to flood risk or detrimental impact on drainage	The operator shall sign up to receive flood alerts from the Environment Agency. Upon receipt of alert the works shall cease and temporary works removed within 2 hours to allow the river to flow at full capacity.	Ref_05_Management System	10/12/2020
Condition 2.3.1(c) to ensure there is no increase to flood risk or detrimental impact on drainage	If materials or equipment are washed downstream, the operator shall use best endeavours to recover lost	Ref_05_Management System	10/12/2020

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
	materials and equipment once any flood water has receded.		
Condition 2.3.1(c) to ensure there is no increase to flood risk or detrimental impact on drainage	Inform, by email, the local Asset Performance team (contact for AP North is Nathan Sutton, nathan.sutton@environment-agency.gov.uk) or Operational Field team (contact is Nik Jarvis, nik.jarvis@environment-agency.gov.uk) when the adjacent sluice is to be closed and reopened after works are complete.	Email received from Tim Jacklin 'RE: EPR/AB3356SA - Request for further information (Schedule 5)'	10/12/2020
Condition 2.3.1 (d) to prevent and minimise environmental harm)	All debris and spoil arising from the activities shall be cleared and removed from the site within 48 hours of completion of the works.	Ref_05_Management System	10/12/2020
Condition 2.3.1 (d) to prevent and minimise environmental harm)	Water quality monitoring will take place as described in the Section 10.4 of the Management System document.	Ref_05_Management System	10/12/2020
Condition 2.3.4 (to ensure that fish will be protected)	A watching brief will be put in place. A watching brief doesn't need to be monitoring the water full-time, but it is worth briefing site workers to be constantly visual for any signs of potential ecological impacts arising from the works. As a minimum, I would suggest checking the working area every hour for signs of pollution and during all operations regarded as high risk of potential harm to the environment. If there is any signs of dead/or distressed fish, works should cease immediately and the incident hotline should be called (0800 80 70 60).	Ref_05_Management System	10/12/2020
Condition 2.3.4 (to ensure that fish will be protected)	The mesh size of the pump screen used for dewatering will be 6mm or smaller.	Email received from Tim Jacklin 'RE: EPR/AB3356SA - Request for further information (Schedule 5)'	10/12/2020

Schedule 2 – Site Plan



Schedule 3 – Interpretation

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“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.

“Method of Work” means a document forming part of the operator’s management system, setting out the working methods for carrying out the activity and what measures will be taken to avoid or minimise the risks of environmental effects.

“approved Method of Work” means the operator’s Method of Work approved by the Environment Agency.

“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 Framework Directive 2000/60/EC;
- (c) cause pollution; or
- (d) otherwise adversely affect the protection and enhancement of the environment.

END OF PERMIT