



EPR Exempt Flood Risk Activities: descriptions and conditions

Version 1 April 2016

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.

Published by:

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Further copies of this report are available from our publications catalogue:

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under the Environmental Permitting Regulations: Error! Bookmark not defined.**

Introduction

Works that are carried out in or near a main river or sea defence are regulated under the Environmental Permitting Regulations as 'flood risk activities'. Some of these activities require a permit before you can carry them out. Others can be carried out as 'exempt' activities, which don't need a permit, provided you register with the Environment Agency and you can meet the description and conditions required for that exemption.

There are 27 exemptions for flood risk activities. This document lists each of those exemptions and tells you the conditions you need to meet.

If your activity is covered by an exemption you will need to register it as exempt with the Environment Agency. You need to check you can meet all the conditions before you register.

The conditions cover things like:

- the scale and size of the works
- the location of the works (you can't carry out works in or near protected rivers and conservation sites or certain flood risk management and land drainage structures)
- what time of year you can carry out the works
- what methods to use
- how often you can do the work

Once you have registered an exemption you must continue to comply with all of the conditions.

You won't be able to register an exemption at certain locations because they are:

- environmentally sensitive, eg a European protected site or Site of Special Scientific Interest
- too close to a flood defence structure operated by the Environment Agency

How to use this guidance

Read the more detailed description of these exempt activities and the conditions that apply to each so you can decide whether you will be eligible for an exemption.

Contact the Environment Agency before you register and they will check if there are any reasons why you can't register an exemption in that location. They can also give you advice to help you understand and check you can meet the conditions in an exemption.

If you can comply with the description and all of the conditions for the exemption, you will need to register it with the Environment Agency. You can find out how to do this on the 'register an exemption' page of gov.uk.

You will need to provide details of the exemption you want to register and a postcode or National Grid reference for the location where you want to carry out the work.

If you can't comply with the description and all of the conditions for the exemption, you'll need to apply for an environmental permit instead.

FRA2 Electrical cable service crossing a main river

Description

This exemption allows you to erect an electrical cable way and associated supports across a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on, or within 200m of, a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at : www.magic.gov.uk
- the service crossing is within 10° of perpendicular to the direction of flow of the main river
- you erect permanent hazard markers on both banks of the main river
- your works do not disturb the bed and banks of the main river
- you remove from the floodplain all excavated material not re-used on the site of the works
- the vertical and horizontal clearances of the service crossing comply with the requirements set out in the table below:

Voltage (kV)	Vertical clearance ⁽¹⁾ (metres)	Horizontal clearance ⁽²⁾ (metres)
275	15	15
400	15	15
132	12	15
66	12	15
33	9	10
11	9	10
6.6	9	10
4.15	6	9

(1)Vertical clearance above bank or flood bank crest level.

(2)Horizontal clearance of any tower or support landward from the top of the bank of the main river.

Guidance notes

In order to meet the description and conditions, you cannot:

- lay a cable on the surface of the river bed
- Install the service crossing or duct within the cross section of the river channel.

FRA3 Service crossing below the bed of a main river by directional drilling

Description

This exemption allows you to install a service crossing below the bed of a main river not using an open cut technique but using directional drilling, for example to install an electricity service duct.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on, or within 200m of, a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your activity is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- the service crossing is within 10° of perpendicular to the direction of flow in the main river
- the distance from the bed of the main river to the top of the service crossing is at least 1.5 metres along its whole length, and the same height above sea level is maintained between points 5 metres beyond the top of each bank of the main river
- the distance from the launch and reception pits to the landward side of each bank of the main river is
 - 8 metres or more in the case of a non-tidal main river
 - 16 metres or more in the case of a tidal main river
- the service crossing does not pass through any bank, culvert, remote defence or river control works on the main river or through any sea defence
- the service crossing is 50 metres or more upstream of any impoundment or artificially raised channel
- you erect permanent hazard markers on both banks of the main river; .
- you remove from the flood plain all excavated material not re-used on the site of the works
- your works do not disturb the bed and banks of the main river

Guidance notes

In order to meet the description and conditions, you cannot install a pipe crossing by excavating an open trench.

FRA4 Service crossings attached to the outside of existing structures over a main river

Description

This exemption allows you to attach a service crossing to an existing structure over a main river, for example, attaching a duct to the parapet of a bridge above the arch openings.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- You cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the service crossing does not project more than 1 metre horizontally from the structure; .
- the service crossing follows the existing cross-sectional profile of the structure to the main river in both normal and flood flow; .
- the service crossing does not pass through any bank, culvert, flood defence structure or river control works on the main river or through any sea defence
- you erect permanent hazard markers on both banks of the main river
- the Environment Agency has not notified the landowner that the structure has been identified for removal or modification in order to achieve the measures set out in the relevant River Basin Management Plan

Guidance notes

In order to meet the description and conditions, you cannot:

- erect a new structure to support a service crossing
- attach a duct across the opening of a bridge.

FRA5 Footbridge over a main river not more than 8 metres wide from bank to bank

Description

This exemption allows you to construct a footbridge across a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 500m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in within 100m of a river or lake in England or (if your activity is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected or priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the length of the footbridge measured from the top of one bank of the main river to the top of the other bank is no more than 8 metres
- the footbridge has no support in the watercourse, a deck width of no more than 1.5 metres and a kickerboard of no more than 100mm in height
- the footbridge does not reduce the cross-sectional area of the channel in the main river
- you cannot carry out the works within 100 metres of any non-agricultural building in the floodplain or another man-made structure on or in the main river
- the construction does not affect the bed of the main river
- the length of bank disturbed by the construction extends to no more than 1 metre on either side of the footbridge
- the footbridge is securely attached to foundations which are no closer than 1 metre to the edge of the bank
- construction of the footbridge does not require reinforcement of the bed or banks
- the approach ramp or steps for the footbridge do not extend more than 4 metres from the landward side of the bank
- the lowest point of the underside of the bridge is at least 600mm higher than the top of both banks of the main river
- you remove from the floodplain all excavated material not re-used on the site of the works
- the height of the land at each end of the footbridge is not changed by the construction
- any parapet of the footbridge is of open construction comprising (i) post and rail, (ii) post and wire mesh fencing of at least 100mm spacing; or (iii) post and wire strands.

Guidance notes

In order to meet the description and conditions, you cannot construct a vehicular access bridge.

FRA6 Temporary scaffolding in or over a main river for no more than four weeks

Description

This exemption allows you to erect and use temporary scaffolding on a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the scaffolding is in place for no longer than 4 weeks
- the scaffolding is not in place between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the scaffolding is not in place between 1st October and 14th March inclusive in any year
- the scaffolding does not occupy more than 10 metres of a river bank at any one time; .
- the scaffolding projects into or over the main river no more than 1.2 metres or no more than 10% of the width of the main river, whichever is less
- the scaffolding is located at least 100 metres from any other scaffolding which is in place and also registered under this exemption
- you remove any debris lodged against the scaffolding within 24 hours (except where it is unsafe to do so)
- any transoms and walking decks are set no lower than 600 mm above water level.

Guidance notes

In order to meet the description and conditions, you cannot erect scaffolding across whole structures such as bridges or weirs that cross a main river.

FRA7 Temporary dewatering of a work area for no more than four weeks

Description

This exemption allows you to temporarily dewater a working area of a main river, for example by installing a small coffer dam to inspect building foundation or to allow construction to take place in the dry.

Conditions

For your activity to be exempt it must meet the conditions below:

- you cannot carry out the activity on or within 500m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out any work in or within 500m upstream of a priority habitat that has been selected for the importance of its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected and priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- any pumps used in the dewatering process must be fitted with a 20mm mesh screen.
- you must take all reasonable steps to protect all aquatic plants and animals found in the area affected by dewatering. You would be expected to plan for how to manage any fish or other species (such as crayfish) that could become stranded during the works
- the duration of the dewatering is no longer than 4 weeks
- you do not carry out the dewatering between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the dewatering is not in place between 1st October and 14th March inclusive in any year
- the dewatering does not affect more than 10 metres of the bank of a main river at any one time
- the dewatering is not within 8 metres of a flood defence structure or river control works
- the depth of water adjacent to the dewatered area does not exceed 1.2 metres; .
- the dewatering structure projects into or over the main river no more than 1.2 metres or no more than 10% of the width of the main river, whichever is less
- you remove from the floodplain all excavated material not re-used on the site of the works

Guidance notes

In order to meet the description and conditions for this exemption, you cannot dewater the full width of channel and over pump over the water.

FRA8 Maintaining a raised river or sea defence

Description

This exemption allows you to maintain an existing raised river or sea defences. for example raising low spots in an existing bank.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you must use materials of the same kind as those present in the raised defences for the maintenance works, and you must not alter the shape of those defences or the overall height of the protection afforded by those defences
- the raised defences must be carrying out the functions for which they were originally designed
- the works do not disturb the bed or, up to normal ground level, the banks of the main river.

Guidance notes

In order to meet the description and conditions for this exemption, you cannot:

- erect a new defence
- realign or increase the height of the defence.

FRA9 Maintaining structures within the channel of a main river that are not raised defences

Description

This exemption allows you to maintain a structure within the channel of a main river that is not a raised river or sea defence, for example cleaning stonework on a bridge or building

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you plan your works to ensure there are no significant adverse effects on protected or priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the maintenance works do not alter any dimension of the structure
- the structure is carrying out the functions for which it was originally designed
- you must use materials of the same kind as those present in the structure for the maintenance works
- the maintenance works do not occur between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the maintenance works do not occur between 1st October and 14th March inclusive in any year

Guidance notes

In order to meet the description and conditions for this exemption, you will not be able to strengthen a bridge pier by increasing its size.

FRA10 Constructing drinking bays for livestock on the bank of a river

Description

This exemption allows you to create a drinking bay for livestock on the bank of a main river.

Conditions

For your activity to be exempt it must meet the conditions below:

- you cannot carry out the activity on or within 500m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out any work in or within 500m upstream of a priority habitat that has been selected for the importance of its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected and priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- The drinking bay is not located within 100 metres of any other man-made structure on or in the main river
- the bay is surrounded by a post and rail fence which must project into or over the main river no more than 1.2 metres or 10% of the width of the main river, whichever is less
- the base of the bay has a surface made of concrete, stone or inert hard core
- you remove from the floodplain all excavated material not re-used on the site of the works
- the works must not adversely affect any culvert, remote defence, river control works, sea defence or any raised embankment or wall forming part of the bank of the main river
- the remainder of the bank is fenced so as to prevent damage to the bank.

Guidance notes

In order to meet the description and conditions for this exemption the drinking bay cannot protrude beyond the bank profile, so you cannot install any structure that crosses into the channel.

FRA11 Constructing small access platforms on the bank of a river or that project into or over a main river

Description

This exemption allows you to create a platform to allow access to the water's edge either on the bank or projecting into or over a main river, for example for the purposes of fishing.

Conditions

For your activity to be exempt it must meet all of the conditions below.

- you cannot carry out the activity on or within 500m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out any work in or within 500m upstream of a priority habitat that has been selected for the importance of its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected and priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre (Link to LRC site) or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the platform is not located within 50 metres of any other man-made structure
- the platform projects no more than 1.2m into or over the main river and occupies no more than 2m of bank length
- the works must not adversely affect any culvert, remote defence, river control works, sea defence or any raised embankment or wall forming part of the bank of the main river
- the part of the platform which projects over the channel is constructed as a flat deck, with no solid infill beneath the platform, supported on piers or piles of no more than 300mm width
- any steps cut into the bank are supported by timber risers on the vertical part of the step.

Guidance notes

In order to meet the description and conditions for this exemption, you will not be able to moor pontoons.

FRA12 Outfall pipes less than 300mm diameter through a headwall

Description

This exemption allows you to construct a small outfall pipe through a headwall on a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below.

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out any work in or within 200m upstream of a priority habitat that has been selected for the importance of its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected and priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre (Link to LRC site) or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the headwall is not located within 50 metres of another man-made structure on or in the main river
- if the headwall is on a non-tidal main river, the outfall pipe is aligned to an angle of between 30° and 60° to the direction of flow in the river
- the diameter of the outfall pipe is less than 300mm
- the height of the headwall is no more than 1.5 metres or no more than 75% of the height of the bank, whichever is less
- the total length of bank affected during construction of the headwall is no more than 1.5 metres
- the headwall, wing walls and apron do not project beyond the line of the bank prior to the works being carried out
- the headwall is not within 8 metres of a flood defence structure or river control works
- the outfall pipe does not pass through or under any culvert, remote defence, river control works or sea defence, or any raised embankment or wall forming part of the bank of the main river
- you remove from the floodplain all excavated material not re-used on the site of the works
- any pipe that discharges through the headwall does not pass within 8 metres of a flood defence structure.

Guidance notes

In order to meet the description and conditions for this exemption you cannot construct or install a structure that crosses the channel.

FRA13 Repairing and protecting up to 10 metres of main river banks using natural materials

Description

This exemption allows you to carry out repairs and protection to the banks of a main river using natural material.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- You cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected and priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the length of bank affected by the works is no more than 10 metres
- the works do not include the use of steel sheet piling, concrete, cement or concrete bagwork, brickwork, gabions or non-biodegradable materials
- the works do not take place within 50 metres of a bank that has been reinforced
- the works do not encroach into the channel of the main river beyond the line of the bank prior to the works being carried out
- when the works are finished, the height of the bank does not exceed the lower of (i) the height of the bank on either side of the works, and (ii) the height of the bank prior to the works being carried out
- the works are securely fastened to the bank at each end so as to prevent erosion behind the works
- the works do not involve the use of vehicles or wheeled or tracked machinery on the bed or bank of the main river
- the works are not to a bank consisting of an earth cliff over 1 metre in height

Guidance notes

In order to meet the description and conditions of this exemption you must use natural materials for the repair and protection work, for example spiling or coir rolls.

FRA14 Repairing bank slips and erosion using the fallen materials

Description

This exemption allows you to repair bank slips and erosion

Conditions

For your activity to be exempt it must meet all of the conditions below.

- you cannot carry out the activity on or within 500m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you plan your works to ensure there are no significant adverse effects on protected or priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- any repair of a bank slippage is made using as materials only material that has subsided from that bank
- any repair of erosion uses materials of the same kind as those present on the relevant site
- the works do not involve removal of any material from the bed of the main river other than removing the bank slippage
- the works do not affect more than 10 metres of the bank at any one time
- the works do not encroach into the channel of the main river beyond the line of the bank prior to the works being carried out
- when the works are finished, the height of the bank does not exceed the lower of (i) the height of the bank on either side of the works, and (ii) the height of the bank prior to the slip or erosion
- the works are securely fastened to the bank at each end so as to prevent erosion behind the works
- the works do not involve the use of a vehicle or of wheeled or tracked machinery on the bed or banks of the main river.

Guidance notes

In order to meet the description and conditions for this exemption, you cannot realign a river channel.

FRA15 Installing channel habitat structures made of natural materials excluding weirs and berms

Description

This exemption allows you to install a channel habitat structure on a Main River, made of natural materials (but not including weirs and berms).

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar Site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- the structure occupies no more than half the width of the cross-sectional area of the channel in the main river and no more than 20 metres of the length of the main river
- no part of the structure is higher than 0.3 metres above the level of the river bed or 25% of the height of the bank (excluding any wall or embankment forming part of the bank), whichever is greater
- the structure is made from naturally occurring woody material and is securely fastened to the bed of the main river, the bank or both
- no works take place within 100 metres of a non-agricultural building in the floodplain, another natural channel habitat structure, stones or logs placed in the main river for habitat enhancement or a man-made structure on or in the main river.

Guidance notes

In order to meet the description and conditions for this exemption, you must use natural materials, for example creating woody debris structures for habitat purposes.

FRA16 Installing temporary small rafts for surveys

Description

This exemption allows you to install temporary rafts for surveys.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the raft has dimensions of no greater than 1.5 metres x 1 metre x 0.15 metre
- any equipment box used on the raft has a height of no more than 0.75 metre
- the raft is permanently and securely attached to the bank
- the raft is installed no less than 100 metres from any other raft
- when the raft is installed, there are no more than four other rafts within a distance of one kilometre
- the raft is installed for no more than 12 months and removed immediately if, within that period, it is no longer required
- the raft is not installed within 100 metres of any non-agricultural building in the floodplain or another man-made structure on or in the main river.

FRA17 Gravel-cleaning for fish-spawning beds

Description

This exemption allows you to clean gravel fish-spawning beds.

Conditions

For your activity to be exempt it must meet all of the conditions below.

- you cannot carry out the activity on or within 500m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out the activity in or within 500m upstream of a priority habitat that has been selected for the importance of its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- the works are only carried out in September or October in any year
- the works are to no more than 20m² of gravel per location, with a gap of at least 30 metres between locations
- the works do not adversely affect the banks or established bed of the main river
- the works are carried out using only hand tools or machinery carried and operated by one person

Guidance notes

In order to meet the description and conditions in this exemption, you cannot carry out any dredging.

FRA18 Placing stones or logs in a main river to enhance habitats

Description

This exemption allows you to place stones or logs in the channel or a main river in order to create or enhance habitat

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out any work in or within 200m upstream of a priority habitat that has been selected for the importance of its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- any stones placed in the channel must be of a type that occur naturally in the main river and do not exceed 400mm in any dimension
- any log placed in the channel must be of less than 2 metres in length, less than 400mm in diameter and oriented at an angle of within 45° to the flow of water
- any log placed in the channel must be from a type of tree that occurs naturally in the vicinity of the main river; and is securely fixed to the bed or bank of the main river
- the stones or logs are placed in the channel over no more than 20 metres of the length, and 20% of the width, of the main river
- no stones or logs are placed within 100 metres of a non-agricultural building in the floodplain, a natural channel habitat structure, an existing emplacement of stones or logs placed in the main river for habitat enhancement or a man-made structure on or in the main river.

Guidance notes

In order to meet the description and conditions of this exemption you cannot create a weir. You may, for example, create groyne from placed stones to create or enhance habitat.

FRA19 Constructing eel pass devices on existing structures

Description

This exemption allows you to construct an eel passage device to an existing structure in or over a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the existing structure is not located on a tidal river
- the device is permanently and securely attached to the existing structure
- the width of the device is no more than 5% of the width of the main river
- the device does not extend upstream or downstream from the existing structure more than 10 metres or the width of the channel measured between the top of each bank of the main river, whichever is the lesser

Guidance notes

In order to meet the description and conditions in this exemption you cannot construct new independent structures. You may, for example, attach a pipe with a scrubbing brush to an existing weir.

FRA20 Constructing fish passage notches in an existing impounding structure

Description

This exemption allows you to construct fish passage notches on an existing impounding structure

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the construction does not affect the structural integrity of the existing impoundment
- construction of the notches does not change the water level in the main river by more than 20cm upstream or downstream from the existing structure
- the existing impoundment is located on a main river with a width of no more than 5 metres measured between the top of each bank
- the construction does not adversely affect the banks or established bed of the main river
- the notch is no more than 0.6 metre in width.

Guidance notes

In order to meet the description and conditions for this exemption, you cannot construct new independent structures. You may, for example, install notches on an existing weir.

FRA21 Removing silt and sand from bridge arches and any material from existing culverts

Description

This exemption allows you to remove silt and sand from within a bridge arch or any material from within culvert

Conditions

For your activity to be exempt it must meet all of the conditions below.

- you cannot carry out the activity on or within 1km upstream of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out the works in or within 1km upstream of a priority habitat that has been selected for its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506
- you cannot carry out any work in or within 1km upstream or 500m downstream of a river or lake in England that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506
- (if your activity is near the border with Wales) you cannot carry out any work in or within 100m of a river or lake in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506
- you must ensure that the removal or material and subsequent deposit of materials does not have a significant adverse effect on protected and priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the works do not affect the structural integrity of the bridge arch or culvert
- in the case of works within bridge arches, the removal of silt and sand is limited to the removal of accumulated silt and sand on the established bed of the main river
- the works do not occur between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the works do not occur between 1st October and 14th March inclusive in any year
- the works do not expose the structural foundations or footings of the bridge or culvert
- the works and any equipment used to remove the sand and silt comply with the dredging and removal of silt and sand requirements which are in the Environment Agency document 'Dredging and the removal of silt and sand from main rivers as a flood risk activity under the Environmental Permitting Regulations: Helping you maintain your watercourse' 1 February 2016. You can find a copy of these requirements on gov.uk.
- the works do not involve the use of machinery on the bed or banks of the main river more than 20 metres from the bridge or culvert

- the works do not involve the use of a vehicle on the bed or banks of the main river
- the works do not damage the culvert or the banks or bed of the main river

Guidance notes

In order to meet the description and conditions for this exemption, you will not be able to remove
remove gravels from a bridge arch.

FRA22 Removing silt and sand adjacent to in-river structures

Description

This exemption allows you to remove silt and sand from adjacent to an in river structure in a main river, such as a bridge arch or culvert.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity in or within 1km upstream of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out the works in or within 1km upstream of a priority habitat that has been selected for its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out any work in or within 1km upstream or 500m downstream of a river or lake in England that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- (if your activity is near the border with Wales) you cannot carry out any work in or within 100m of a river or lake in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- you cannot carry out works within a designated sensitive waterbody shown on the Environment Agency's sealed map of 'Water bodies in England identified as sensitive for flood risk activities under the Environmental Permitting Regulations because sediment management may compromise the delivery of the environmental objectives of the Water Framework Directive'
- you must ensure that the removal of silt or sand and subsequent deposit does not have a significant adverse effect on protected or priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the works take place no more than 10 metres upstream or downstream from the edge of the structure
- the removal of silt and sand does not affect the structural integrity of the structure
- the works do not damage the banks or bed of the main river
- the works are limited to the removal of accumulated silt and sand on the established bed of the main river
- the removal of silt and sand does not expose the structural foundations or footings of the structure
- silt and sand is not removed to below the level of the base of the inside of an adjacent culvert
- the works do not remove vegetation from the bed or banks of the main river, other than vegetation growing in or through the silt and sand

- the works do not involve the use of a vehicle or machinery on the bed or banks of the main river
- the removal of silt and sand does not occur between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the removal of silt and sand does not occur between 1st October and 14th March inclusive in any year
- the works and any equipment used to remove the sand and silt comply with the dredging and removal of silt and sand requirements which are in the Environment Agency document 'Dredging and the removal of silt and sand from main rivers as a flood risk activity under the Environmental Permitting Regulations: Helping you maintain your watercourse' 1 February 2016. You can find a copy of these requirements on gov.uk.

FRA23 Dredging to remove accumulated silt and sand from the bed of up to 1.5km of man-made ditches, land drains, agricultural drains and previously straightened watercourses that are main rivers

Description

This exemption allows you to dredge no more than 1.5km of man-made ditches, land drains, agricultural drains and previously straightened watercourses that are classified as main rivers.

Use the guidance in Annex 1 to determine whether the main river you are proposing to work on is a previously straightened watercourse, man-made ditch or drain.

Conditions

For your activity to be exempt it must meet all the conditions below:

- you cannot carry out the activity in or within 5 km upstream of a site notified for its freshwater habitats that is designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI), or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at : www.magic.gov.uk
- you cannot carry out the activity in or within 1km upstream of a site designated as a Special Protection Area (SPA), Ramsar site, Special Area for Conservation (SAC), Site of Special Scientific Interest (SSSI), or Local Nature Reserve (LNR) and including a site which includes part of the flood plain but not the river itself. The locations of all these sites are available to view on MAGIC at : www.magic.gov.uk
- you cannot carry out any work in or within 1km upstream or 500m downstream of a river or lake in England that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- (if your activity is near the border with Wales) you cannot carry out any work in or within 100m of a river or lake in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506
- you cannot carry out works within a designated sensitive waterbody shown on the Environment Agency's sealed map of 'Water bodies in England identified as sensitive for flood risk activities under the Environmental Permitting Regulations because sediment management may compromise the delivery of the environmental objectives of the Water Framework Directive'
- you cannot carry out works in or within 1km upstream of a priority habitat that has been selected for its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.

- you must ensure that the dredging and subsequent deposit of any materials does not have a significant adverse effect on protected or priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- the works do not occur in any location where dredging has been carried out within the previous three years
- the works do not occur in any location on a watercourse where dredging has taken place within 1.5 kilometres upstream or downstream of that location in the previous 12 months
- the works are completed within three years of registration of the exemption
- the works do not damage the bed or banks of the main river
- the dredging does not include the removal of gravel
- the dredging is limited to the removal of accumulated silt and sand on the established bed of the main river
- the works do not remove vegetation from the bed or banks of the main river, other than vegetation growing in or through the silt and sand
- the works do not involve the use of a vehicle or machinery on the bed or banks of the main river
- the works do not occur between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the works do not occur between 1st October and 14th March inclusive in any year
- the works and any equipment used comply with the dredging and removal of silt and sand requirements which are in the Environment Agency document 'Dredging and the removal of silt and sand from main rivers as a flood risk activity under the Environmental Permitting Regulations: Helping you maintain your watercourse' 1 February 2016. You can find a copy of these requirements on gov.uk.
- on a non-tidal main river, the works do not occur within 8 metres of a flood defence structure or river control works
- on a tidal main river, the works do not occur within 16 metres of a flood defence structure or sea defence.

Guidance notes

In order to meet the description and conditions for this exemption you will not be able to:

- carry out farm scale dredging
- dredge natural main river channels
- dredge below the established bed of the channel or re-shape the bed or banks in any way.

FRA24 Dredging to remove accumulated silt and sand from the bed of up to 20 metres of a main river

Description

This exemption allows you to dredge up to 20 metres of a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity in or within 1 km upstream of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI), or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out any work in or within 1km upstream or 500m downstream of a river or lake in England that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- (if your activity is near the border with Wales) you cannot carry out any work in or within 100m of a river or lake in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506..
- you cannot carry out works within a designated sensitive waterbody shown on the Environment Agency's sealed map of 'Water bodies in England identified as sensitive for flood risk activities under the Environmental Permitting Regulations because sediment management may compromise the delivery of the environmental objectives of the Water Framework Directive'
- you cannot carry out works in or within 1km upstream of a priority habitat that has been selected for its river or freshwater habitats. These are often called Natural Environment and Rural Communities Act 2006 section 41 and section 42 habitats. For information call the Environment Agency customer contact centre on 03708 506 506.
- you must ensure that the dredging and subsequent deposit of any materials does not have a significant adverse effect on protected or priority species of importance for nature conservation. You can find more information on the species that could be impacted by your works from your local record centre (Link to LRC site) or Natural England's guidance on construction near protected areas and wildlife <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>
- no dredging has been carried out in the previous 12 months in the same main river and property
- the works are completed within 12 months of registration of the exemption
- the works do not damage the bed or banks of the main river
- the works do not remove vegetation from the bed or banks of the main river, other than vegetation growing in or through the silt and sand
- the dredging is limited to the removal of accumulated silt and sand on the established bed of the main river
- the dredging does not include the removal of gravel

- the works do not involve the use of a vehicle or machinery on the bed or banks of the main river
- the works do not occur between 15th March and 15th June inclusive in any year
- on a main river that is a designated salmonid river, the works do not occur between 1st October and 14th March inclusive in any year
- the works and any equipment used comply with the dredging and removal of silt and sand requirements which are in the Environment Agency document 'Dredging and the removal of silt and sand from main rivers as a flood risk activity under the Environmental Permitting Regulations: Helping you maintain your watercourse' 1 February 2016. You can find a copy of these requirements on gov.uk.

Guidance notes

In order to meet the description and conditions for this exemption you will not be able to:

- carry out farm scale dredging
- dredge below the established bed of the channel or re-shape the bed or banks in any way.

FRA 25 Excavating scrapes and shallow wetland features totalling 0.1 hectare in a flood plain

Description

This exemption allows you to excavate scrapes and shallow wetland features in a flood plain of a main river.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the area of the excavation is no more than 0.1 hectare and takes place at least 100 metres from any other excavation in the floodplain
- the excavation is no more than 500mm deep at any point
- where spoil from the excavation is spread on the floodplain, the spoil is spread to a depth of no more than 100mm
- the excavation is at least 8 metres from any structure forming part of a flood defence and from the landward side of each bank of the main river.

Guidance notes

In order to meet the description and conditions for this exemption you can only excavate shallow features. You cannot, for example, excavate fish ponds.

FRA26 Constructing raised flood defences around a maximum of 6 adjoining properties

Description

This exemption allows you to construct raised defences around between one and six adjoining properties.

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you cannot carry out the activity within 8 metres of the main river
- the dimensions of the flood defences are no more than 1 metre in height and 6 metres in width
- the defences are located at least 20 metres from any building not owned by the owners of the properties
- the total area protected by the defences is no more than 150m² for each property
- the defences are to protect existing buildings
- the works are within the existing boundary of the properties.

Guidance notes

This exemption can be used, for example, to protect residential properties from flooding, such as building a wall around a pair of semi-detached houses.

FRA27 Constructing bankside wildlife refuge structures

Description

This exemption allows you to create bankside structures to provide shelter for wildlife, for example, otter holts

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- you do not carry out any work in or within 100m of a river or lake in England or (if your work is near the border) in Wales that is classified as of high morphological status under the Water Framework Directive. For information call the Environment Agency customer contact centre on 03708 506 506.
- the length of bank excavated during construction of the structure is no more than 1.5 metres
- the height of the structure is no more than 1.5 metres or no more than 75% of the height of the bank, whichever is less
- the structure is not located within 50 metres of another man-made structure on or in the main river
- the structure is not located within 8 metres of a flood defence structure or river control works
- the structure does not project beyond the line of the bank prior to the works being carried out.

FRA28 Improvement works for existing tracks and paths

Description

This exemption allows you to carry out improvement work on existing tracks and paths

Conditions

For your activity to be exempt it must meet all of the conditions below:

- you cannot carry out the activity on or within 200m of to a site designated as a Special Protection Area (SPA), Special Area for Conservation (SAC), Ramsar site, Site of Special Scientific Interest (SSSI) or Local Nature Reserve (LNR). The locations of all these sites are available to view on MAGIC at www.magic.gov.uk
- the works are to an existing track or path
- the works do not alter the route or width of the track or path
- the works do not disturb the bed or banks of any main river
- the works do not increase the level of the path by more than 100mm
- when the works are completed, you remove all materials and debris from the site

Guidance notes

In order to meet the description and conditions for this exemption, you cannot construct a new or raised path. You may improve or maintain existing tracks and paths, for example, resurfacing a cyclepath.

Annex 1 Previously straightened rivers, ditches and drains

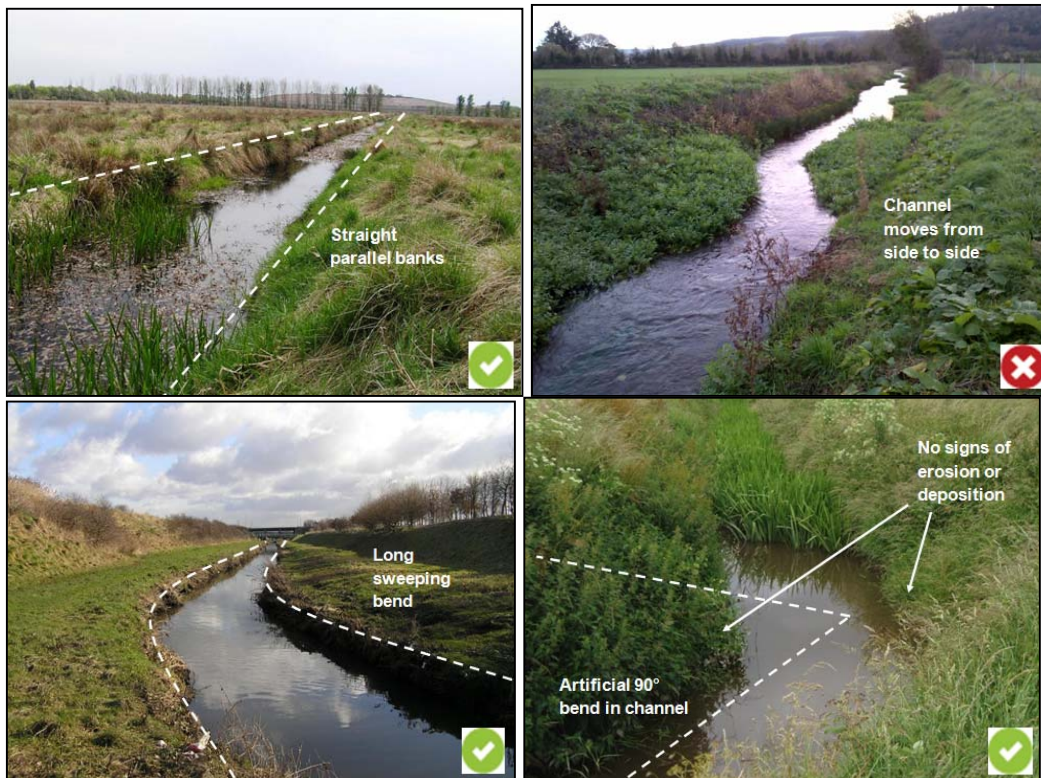
This guide will help you decide whether or not you can dredge in order to remove accumulated silt and sand from up to 1.5 kilometres of a main river using Flood Risk Activity exemption FRA23.

This guide will help you decide whether your watercourse is previously straightened or is a man-made ditch, a land drain or an agricultural drain. In England, you can dredge in order to remove accumulated silt and sand from up to 1.5 kilometres of these types of watercourse under an exemption.

You must register this exemption with the Environment Agency before carrying out the works and ensure that the works meet the other conditions of the exemption which are set out in FRA 23 above.

Common features of these types of watercourse

The watercourse is very straight or it has artificial bends that show no signs of being created naturally through erosion or deposition.



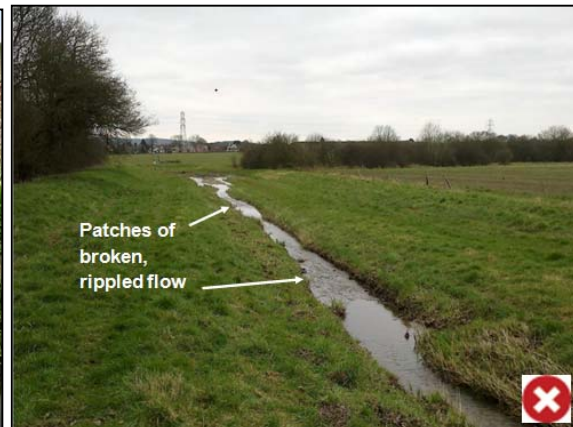
The stretch of watercourse is mostly the same width throughout.



The bed of the water course is made of silt and sand rather than gravels or cobbles.



The stretch of watercourse has a smooth water surface for nearly all of its length at times of normal water level.

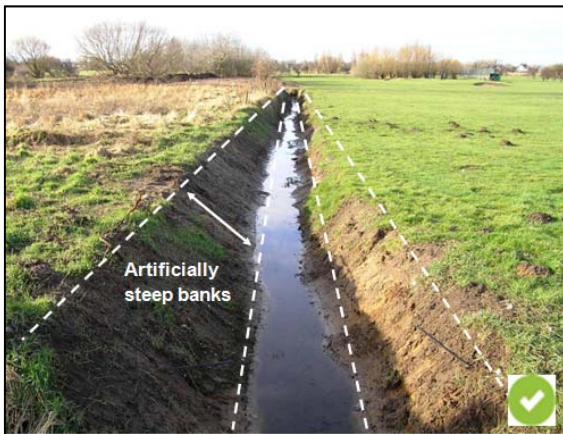


The banks of the watercourse have simple vegetation such as low grasses with very few trees or shrubs.

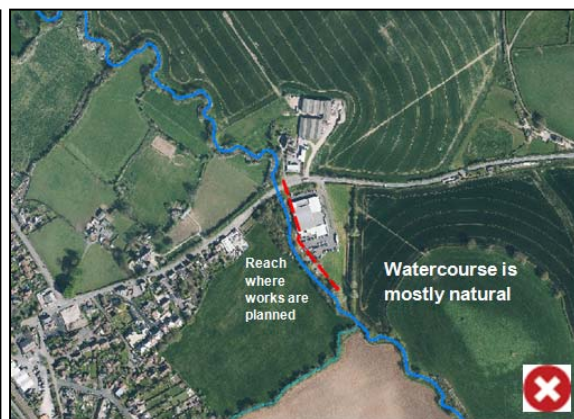
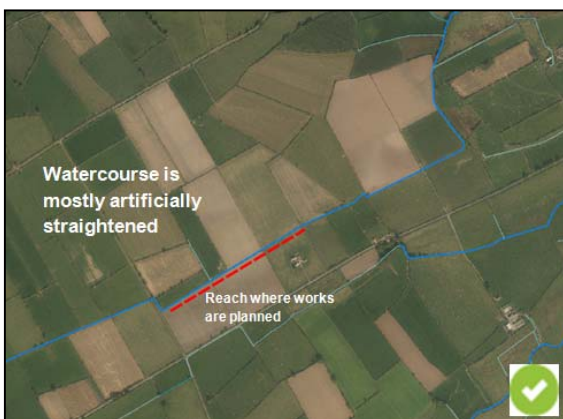


The banks of the watercourse will normally be artificially steep compared with the width of the channel.

The watercourse will not have any vegetated berms (flat low-lying areas) on one or both sides where new banks are forming.



The majority of the rest of the watercourse qualifies as artificially straight or a drain using this guidance.



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