

# SEPA's Regulatory Guidance on the use of fords in the water environment

April 2023

## Purpose

This document sets out SEPA's regulatory position with respect to the installation and use of fords within the water environment.

## Background

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (As Amended) (referred to as CAR) regulates activities associated with the water environment including engineering works such as the construction of structures in watercourses and lochs.

## What is a ford?

Fords are river or loch crossings that are situated on the bed. They may be informal with no construction on the bed/banks or formally constructed and reinforced with artificial material.



Informal ford

(no structure on bed or banks)



Formal Ford

(construction on bed and/or banks)

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## What are the issues with fords?

Fords can have detrimental impacts on the environment as they can, if poorly located, designed or installed, cause destruction of habitat and impact to aquatic species (including the loss of invertebrates and fish spawning grounds) and can impede fish migration and sediment transport. Fords can also cause sediment compaction and localised erosion of the bed and banks. It is possible for the bed to be eroded downstream of a ford which can over time result in the creation of a step in the bed level which could pose a barrier to fish migration. If there is repeated use of a ford this can also result in widening of the channel at the crossing point and destruction of bank stability and habitat. Pollution and siltation also arises from vehicles and equipment traversing fords especially during unfavourable weather conditions. Without appropriate controls or mitigation when vehicles and equipment utilise fords there is also the potential risk for introduction or spread of Invasive Non-Native Species (INNS) to be transferred within the water environment.

Where a watercourse requires to be crossed, either permanently or temporarily, other alternatives that are less damaging should first be considered including single span bridges and bottomless arch culverts. Further information can be found in [SEPA Good Practice Guide on River crossings](#).

## What authorisation is required?

- **Construction of a new ford**

Creation of a formal ford structure by installation of bed and/or bank reinforcement or manipulation/addition of bed substrate will require authorisation in line with [SEPA's CAR Practical Guide](#) (see engineering regime section).

Any authorisation of a ford will require the structure to comply with conditions to minimise the environmental impact. This would include ensuring no step is created on the bed that could trap sediment or form an obstruction and prevent fish passage.

No authorisation is required where no formal structure is created however care must be taken when vehicles are crossing watercourses to ensure no destabilisation to the bed and banks and crossing does not result in pollution of the water environment. Where using informal fords for the purposes of carrying out another controlled activity this will be covered by conditions in the relevant authorisation – see temporary fords section below.

Where using informal fords to carry out GBR level activities or maintenance works the rules of GBR9 must be complied with.

Note: Should an informal ford result in a significant adverse impact upon water environment SEPA may seek action to remediate.

- **Modification of an existing ford**

Modification works to maintain, repair or replace an existing ford can be undertaken. For further information refer to the maintenance table in the CAR practical guide. GBR9 must be followed in relation to operating any vehicle, plant or other equipment within or near any surface water or wetland when undertaking maintenance works. Where any additional bed or bank protection is proposed to be installed this will require authorisation as this will change the overall footprint of the structure.

- **Temporary ford**

Where a ford is to be created and used on a temporary basis to carry out a controlled activity then conditions relating to any temporary works will be included within the relevant authorisation.

Consideration should be made to:

- the watercourse bed substrate and bank material as it may be practical/advisable to consider whether to put down temporary matting (e.g. plastic or geotextile) to protect the bed substrate and/or bank(s). The temporary matting must be removed as soon as practical after use and the bed and bank(s) restored to their condition prior to the works.
- the location of ford, i.e. do not site crossing points where the river is active/dynamic because this can require regular maintenance and could be subject to damage by flows etc.
- demarcation of the ford as this could result in less disturbance of surrounding area by limiting traffic to a specific location of solid bank/bed.

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