

Quick guide on when SEPA written authorisation is needed.

November 2023

This guide is to help land managers following a flood event to understand what can and can't be done without contacting SEPA and when obtaining written authorisation will be required.

This guide is in two parts.

- Part A identifies which activities can be carried out without contacting SEPA and where written authorisation is needed,
- Part B helps determine what type of written authorisation (registration or licence) is required.

It covers two main topics –

- Flood bank, bank protection and structure repairs/replacement
- Dredging, Sediment management and clearing outfalls and culverts

If in doubt, please contact SEPA or refer to the [CAR-A practical Guide](#)

Important notes

- There are certain activities which require no authorisation, such as clearing debris, working from the banks
- Otherwise, there are three types of authorisation:
 - **GBR** – General Binding Rule, these are a set of rules that must be followed, but no written application or contact with SEPA is needed provided you can meet the rules.
 - **Registration** – These are a simple form of authorisation, which contains standard rules. You only need to fill out the application form and pay the fee. Registrations cost (23/24 price) £170 and can take 28 days to issue.
 - **Licence** – The highest form of authorisation, contain bespoke rules based on the work being undertaken. It's best to contact SEPA before applying to ensure you provide all the required information; this can be substantial for major works. Licences cost (23/24 price) £782 or for high-risk activities £3911
- In most cases an authorisation will be granted, but due to the risk of the work SEPA need to take a closer look.
- Full details of all types of authorisation are available in [CAR-A practical Guide](#) available at www.sepa.org.uk
- GBR and Registration rules are included within this two-part guide for ease of reference.
- SEPA Contact details:
 - Online www.sepa.org.uk/contact/

- General enquiries: **03000 99 66 99**
- Emergency Incident: **0800 80 70 60**

Contents

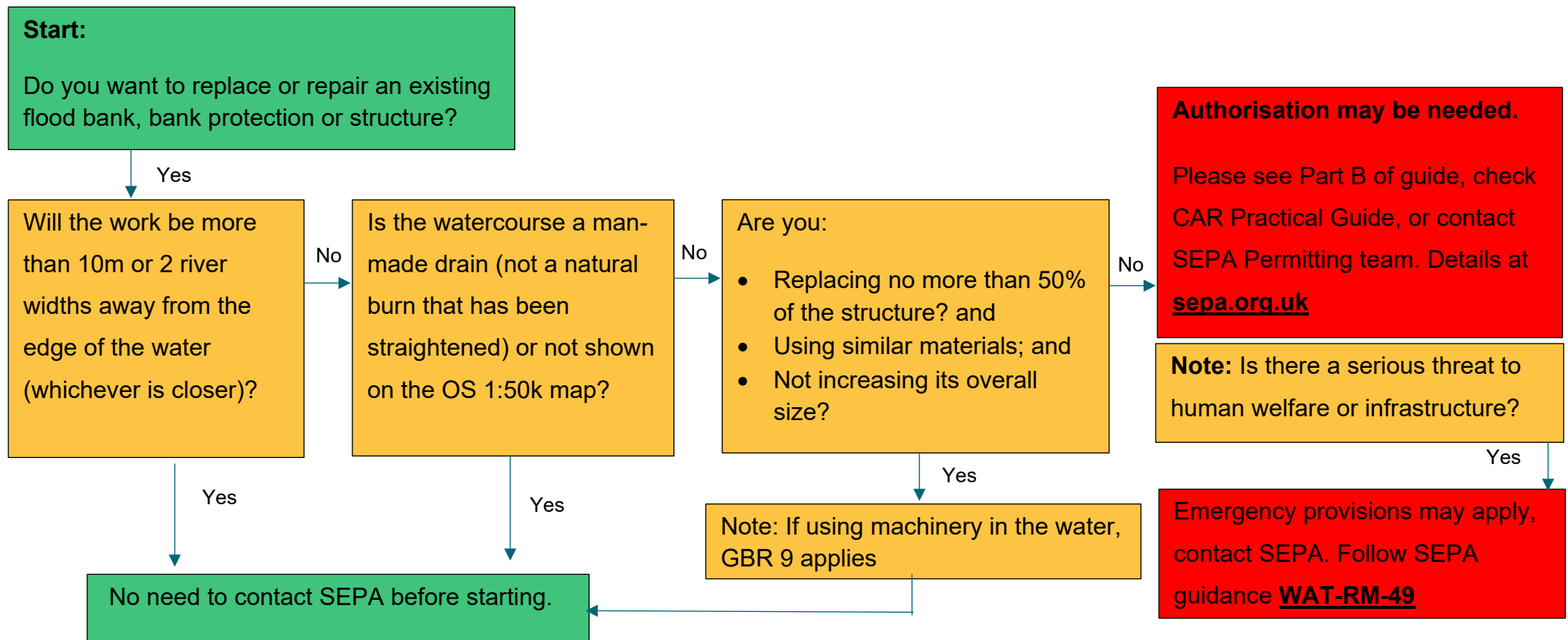
- Part A - Activities authorised by General Binding Rule
 - EXISTING: Flood bank, bank protection and structure repairs/replacement
 - Dredging, Sediment management and clearing outfalls and culverts
- GBR Conditions
 - GBR 5
 - GBR 8
 - GBR 9
 - GBR 12
 - GBR 13
 - GBR 25
- Part B - Activities requiring written authorisation from SEPA
 - Bank Works (reinforcement, reprofiling)
 - Embankments and Floodwalls
 - Channel modifications (realignments, re-sectioning & culverting for land gain)

- Crossings: bridges, culverts, fords, causeways and pipe and cable crossings
- Sediment Management (removal, manipulation)
- General conditions of registrations

Part A - Activities authorised by General Binding Rule

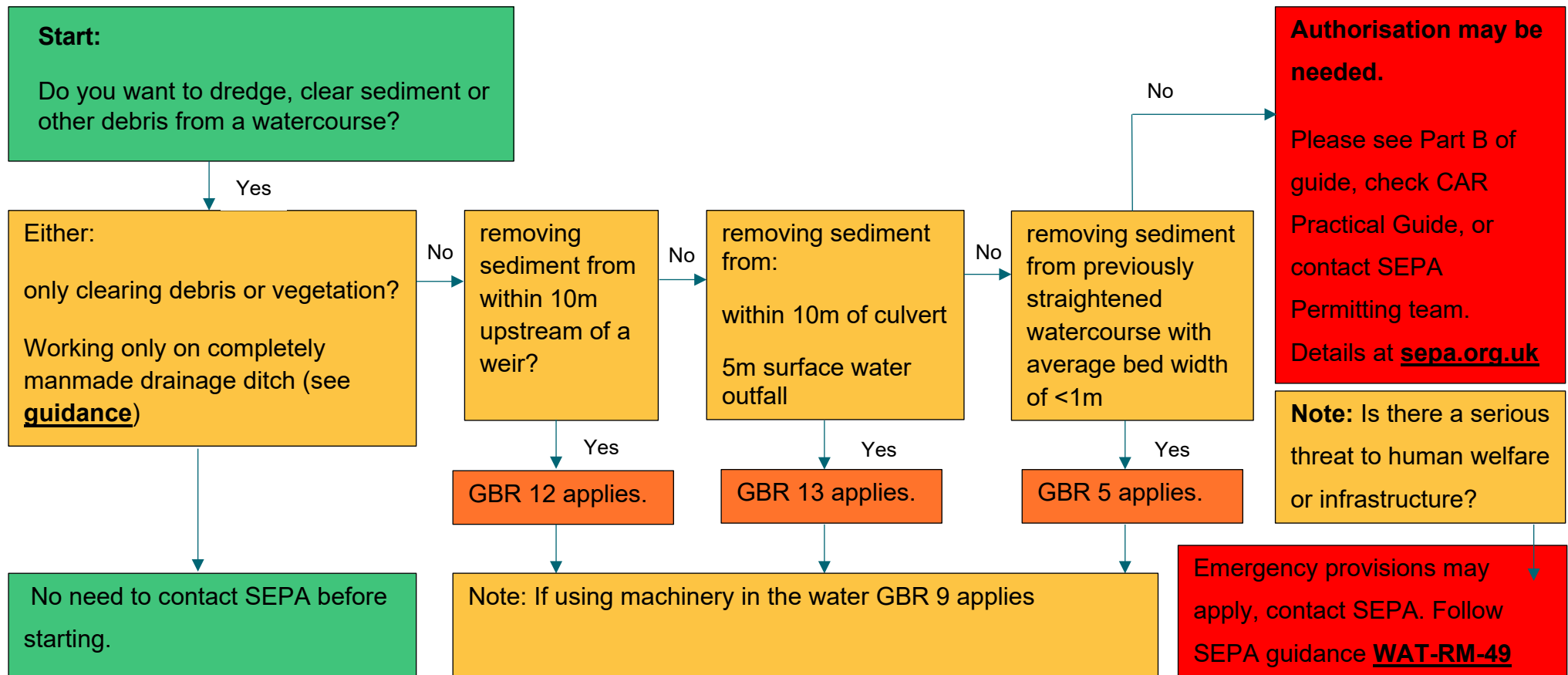
No written permission required.

EXISTING: Flood bank, bank protection and structure repairs/replacement



Note: Where river have burst their banks and are causing damage to surrounding land and infrastructure SEPA will consider this adequate justification to merit action through authorised works to address situation. Where perceived risk has not been fully investigated to warrant works progressing SEPA will expect further justification.

Dredging, Sediment management and clearing outfalls and culverts



GBR Conditions

GBR 5

Dredging of a river, burn or ditch that has an average bed width of less than 1m along the stretch to be worked and has been artificially straightened or canalised along the length which is to be worked. Please also check GBR9.

Rules

- a) Vegetation on any bank of the river, burn or ditch may be removed or modified only to the extent that the works cannot reasonably be carried out without such removal or modification.
- b) Any vegetation removed must not be disposed of into the channel.
- c) The activity must not result in the widening of the bed width of the river, burn or ditch.
- d) All reasonable steps must be taken to prevent the transport of sediments or other matter disturbed by the works into waters beyond the worked stretch.
- e) Works must not be undertaken during periods in which fish are likely to be spawning in the river, burn or ditch, nor in the period between any such spawning and the subsequent emergence of juvenile fish.
- f) All reasonable steps must be taken to avoid increased erosion of the banks or bed of the river, burn or ditch as a result of the works.
- g) The bed of the worked stretch must be graded at a shallow angle to tie in with the bed level upstream and downstream and there must be no steps or sudden changes in the angle of the bed shape.
- h) The removed sediment must not be left on the banks such that its placement heightens the banks.

GBR 8

Controlling bank erosion by green bank reinforcement or re-profiling. Please also check GBR9.

Rules

- a) All reasonable steps must be taken to ensure that the works do not result in increased erosion of the banks.
- b) The works must not result in the destabilisation of the bed upstream or downstream of the works.
- c) Vegetation may be removed from the banks only if the works cannot otherwise be reasonable carried out.
- d) Vegetation that is removed must not be disposed of into the channel.
- e) The revetment can only be constructed from vegetation, biodegradable geotextiles, untreated wood, or non-grouted stone rip-rap.
- f) The length of any revetment must not exceed 10m or if the channel width is more than 10m, one channel width.
- g) Where wood or stone rip-rap is used, use is limited to the toe of the bank.
- h) Except for the purpose of repairing an existing revetment, bank protection works must not be carried out within five channel widths or 50m (whichever is greater) of any existing bank protection works on either bank of the river, burn or ditch.
- i) The works must not result in the heightening or lowering of the banks.
- j) Work must not be carried out when fish are likely to be spawning in the affected surface water, or in the period between spawning and the subsequent emergence of juvenile fish.¹⁵
- k) The revetments must be maintained in a good state of repair to avoid erosion of the banks or destabilisation of the bed.

GBR 9

Operating any vehicle, plant or other equipment (machinery) in or near any surface water or wetland for the purpose of undertaking any other GBR activity or for the purpose of maintaining an existing man-made structure in or near any surface water or wetland.

Rules

- a) Machinery should only operate in water where it is impracticable for it to operate on dry land.
- b) Refuelling must take place at least 10m away from any surface water.
- c) Any static plant or equipment used within 10m of surface water must be positioned on a suitable drip tray for 110% of the fuel tank supplying the static plant or equipment.
- d) Machinery used in or near surface water must not leak any oil.
- e) Washing of any machinery must take place at least 10m away from any surface water and the washings must not be allowed to enter any surface water.
- f) Machinery must not be operated in rivers, burns and ditches when fish are likely to be spawning in the affected surface water, or in the period between spawning and the subsequent emergence of juvenile fish.¹⁵
- g) Machinery must not be operated in rivers, burns and ditches if there is a reasonable likelihood that there are freshwater pearl mussels within 50m of such operation.
- h) Machinery must not be operated in rivers, burns and ditches during forestry operations.
- a) Following the operation of the machinery, any damage caused by the operations to the bed and banks of the surface water must be repaired, including re-establishing vegetation of any areas of bare earth on the banks resulting from the operation, either by covering the area with grass turfs or lining them with biodegradable geotextile and seeding.

GBR 12

Removal of sediment from the area of impounded water upstream of a weir authorised under CAR, and where desired, return of that sediment to the watercourse. Please also check GBR 9.

Rules

- a) Sediment or other matter can only be removed within the stretch 10m upstream of the weir.
- b) Only sediment which has recently been deposited (i.e., that which is reasonably expected to have been deposited within three years preceding the date of removal) can be removed.
- c) Unless it is not reasonably practicable to do so, any gravel and coarse sediment that has been removed must be returned to the watercourse from which it was taken.
- d) The return of sediment must:
 - i) Be placed at the edge of the watercourse downstream of the weir in a location where high flows are able to redistribute it;
 - ii) It does not cause sediment to accumulate in a manner likely to impede the free passage of migratory fish;
 - iii) Be placed in such a way and such a location that the risk of the placement resulting in increased erosion of the bed or banks of the watercourse is minimised;
 - iv) Not be placed in a wetted part of the watercourse during periods in which fish are likely to be spawning, nor in the period between spawning and the subsequent emergence of the juvenile fish;
 - v) Not contain man-made matter or result in pollution.
- e) The removed sediment must not be deposited in the channel or on the banks of any watercourse except in accordance with (d) above.
- f) The removal of sediment must not result in pollution of the water environment.

- g) Vegetation may be removed from the banks only if the works cannot otherwise be reasonably carried out.
- h) Vegetation that is removed must not be disposed of into the channel.

GBR 13

Removal of sediment from the inside of a closed culvert or within 10m upstream or downstream of a closed culvert or within 5m of an outfall or inlet and if desired, its subsequent return. Please also check GBR 9.

Rules

- a) The removal or return of sediment must not result in the bed of the watercourse upstream of the culvert being lower than the upper surface of the base of the culvert.
- b) The removal or return of sediment must not result in a vertical step between the upper surface of the base of the culvert and the bed of the watercourse into which it discharges.
- c) Work must not be carried out when fish are likely to be spawning in the affected surface water, or in the period between spawning and the subsequent emergence of juvenile fish. ¹⁶
- d) Vegetation may be removed from the banks only if the works cannot otherwise be reasonably carried out.
- e) Vegetation that is removed must not be disposed of into the channel.
- f) The removed sediment and other matter must not be placed on the bank of any watercourse.
- g) Sediment that has been removed may be returned to the same watercourse, provided that:
 - i. It is returned as close to the location of its removal as is practicable;
 - ii. Its return does not result in an accumulation of sediment that impeded the free passage of migratory fish; and
 - iii. All reasonable steps are taken to avoid increased erosion of the bed or the banks.

h) The activity must not result in pollution of the water environment.

GBR 25

The placement of trees or parts of trees in any river, burn or ditch to protect eroding banks. Please also check GBR 9.

Rules

- a) Other than in accordance with paragraph (e), the trees or parts of trees must be placed only in or along the eroding banks.
- b) The placement must result in an arrangement of live or dead stems, branches or roots which, as the water flows through the arrangement, flex or bend and impede its flow with the effect of cushioning the bank from the force of the river, burn or ditch.
- c) The placed trees or parts of trees must be tied, keyed or staked into the bank or bed of the river, burn or ditch so as to secure them in place.
- d) The placed trees or parts of trees must:
 - i. Follow the line of the toe of the eroded bank at the time of placement; and
 - ii. Be graded into the existing lines of the banks at either end if the eroded bank.
- e) The placement may extend beyond the upstream and downstream ends of an eroding bank only to the extent necessary to:
 - i. Prevent any part of the river, burn or ditch from going around the placements and eroding the bank behind them; and
 - ii. Ensure the line of the placements is graded smoothly into the existing lines of the bank at either end of the eroded bank.
- f) In protecting eroding banks:
 - i. The angle of an eroding bank may only be reduced for the purpose of enabling the establishment and growth of trees or the placement of trees or parts of trees; and

- ii. Stones may be placed at the toe of the bank for the purpose of preventing the bank being undercut before the trees have become established, provided that any stones used are no larger than the largest stones that have been deposited on the channel bed within 500 metres of the eroding bank.
- g) All reasonable steps must be taken whilst placing trees or parts of trees to:
 - i. Prevent any exposed soil or other sediments from entering the river, burn or ditch; and
 - ii. Where any soil or other sediments do enter the river, burn or ditch, prevent these from being transported beyond the part of the bank being protected.
- h) Once the trees or parts of the trees have been placed, any areas of bare earth on the banks resulting from the works must be re-vegetated to minimise the risk of soil erosion, either by covering the grass turfs or lining with biodegradable geotextile and seeding; and
- i) Where the trees or parts of trees need to be placed on the wetted part of the bed of the river, burn or ditch or their placement would otherwise be likely to disturb the wetted part of the bed of the river, burn or ditch they must not be placed if there is a reasonable likelihood that there are freshwater pearl mussel in the part of the river, burn or ditch that would be affected.

Part B - Activities requiring written authorisation from SEPA

Bank Works (reinforcement, reprofiling)

Activity	Level of authorisation		
	Registration	Simple licence	Complex licence
	£170	£782	£3911
28 days	4 months max		
Green ¹ Bank Works & Reprofiling ³	Green bank works or reprofiling ≤50m in length (Activity D)	All other green bank works or reprofiling	
Grey Bank Works ³	Grey bank works ≤20m associated with an existing manmade structure (Activity O)	Grey bank works ≤100m in length in rivers >3m wide ² and lochs	All other grey bank works in rivers >3m wide ² and lochs

1. Green bank protection includes the use of materials such as rip-rap and log revetments restricted to the bank toe (i.e. should be submerged during normal flow conditions) and biodegradable geo-textiles.
2. The width is the straight-line distance measured between the toe of the banks of any watercourse, which spans the bed of the watercourse, including any exposed bars and vegetated islands
3. Repairs to existing bank works may be carried out without authorisation provided, similar materials are used, the size is not increasing and no more than 50% is replaced.

NB: Fees are as per 2023/24 financial year.

Embankments and Floodwalls

Activity	Level of authorisation		
	Registration	Simple licence	Complex licence
	£170	£782	£3911
	28 days	4 months max	
NEW: Embankments ¹ & Floodwalls		New embankments ¹ or floodwalls in rivers ≤3m wide ¹	All other new embankments ² or floodwalls in rivers >3m wide ¹ and lochs
		New embankments ¹ /floodwalls ≤100m in length in rivers >3m wide ¹ and lochs	
EXISTING: Embankments ¹ & Floodwalls		Existing embankments² or floodwalls located on the bank top: Extending, heightening, or lowering	
		Existing embankments² or floodwalls, located within 10 metres of the bank top or 1 channel width (whichever is shorter): heightening or lowering over 500m	

1. New embankments will only require authorisation where they are on the bank top or 'in the vicinity' of inland surface waters. This is less than or equal to 10 metres or 2 channel widths from the bank top, whichever is shorter. In the vicinity of wetlands is where the activity takes place less than or equal to 10 metres from the wetland. All other new embankment works do not usually require authorisation.
2. Repairs may be carried out to existing embankments or floodwalls which are on the bank top or in the vicinity of the bank top without authorisation provided similar materials are used, these are not extended in length, heightened, lowered or removed and not more than 50% is replaced.

NB: fees are as per 20023/24 financial year.

Channel Modifications (realignments, re-sectioning & culverting for land gain)

Activity	Level of authorisation		
	Registration	Simple licence	Complex licence
	£170	£782	£3911
	28 days	4 months max	
Diversions & realignments	n/a	Diversions and realignment on rivers ≤3m wide ¹	Diversions and realignments on rivers >3m wide ¹
Flood by-pass channels	n/a	Flood by-pass channels on rivers ≤3m wide ¹	Flood by-pass channels on rivers >3m wide ¹
Culverting for Land Gain ²	n/a	Culverting for land gain on rivers ≤3m wide ¹	All culverting for land gain on rivers >3m wide ¹

1. The width is the straight-line distance measured between the toe of the banks of any watercourse, which spans the bed of the watercourse, including any exposed bars and vegetated islands.
2. SEPA has a presumption against culverting for land gain unless it meets criteria in our position statement at [WAT-PS-06-02](https://www.sepa.org.uk/water/wat-ps-06-02) (sepa.org.uk)

NB: fees are as per 20023/24 financial year.

Crossings: bridges, culverts, fords, causeways and pipe and cable crossings

Activity	Level of authorisation		
	Registration	Simple licence	Complex licence
	£170	£782	£3911
	28 days	4 months max	
Crossings: Bridges, culverts, fords, causeways and pipe and cable crossings ²	Closed culverts used for footpaths, cycle route, single track roads or single-track railways in rivers ≤2m wide*. (Activity G)	All other bridges, fords and causeways	n/a
		All other closed culverts used for crossings	n/a
	Pipeline or cable crossings beneath bed by isolated open-cut or mole plough.0 (Activity H)	All other pipeline or cable crossings, e.g. by direct open cut or laid on channel bed	n/a

1. The width is the straight-line distance measured between the toe of the banks of any watercourse, which spans the bed of the watercourse, including any exposed bars and vegetated islands.

- Repairs to existing crossings may be carried out without authorisation provided, similar materials are used, the size is not increasing and no more than 50% is replaced.

NB: fees are as per 20023/24 financial year.

Sediment Management (removal, manipulation)

Activity	Level of authorisation		
	Registration	Simple licence	Complex licence
	£170	£782	£3911
28 days	4 months max		
Sediment Management	Sediment management within 10m of a bridge (Activity B)	All other sediment management in rivers ≤3m wide* and wetlands	All other sediment management >50m in length in rivers >3m wide*
	Sediment management in open culverts ≤2m wide* (Activity C)	All other sediment management ≤50m in length in rivers >3m wide*	

Activity	Level of authorisation		
	Registration	Simple licence	Complex licence
	£170	£782	£3911
28 days	4 months max		
Sediment management in canals, lades and other artificial inland surface water (Activity A)			
Removal of sand, silt or clay from the bed of previously straightened rivers and burns which are $\geq 1\text{m}$ and $< 5\text{m}$ wide* over a length up to 500m (Activity L)			
Removal of sediment from individual and discrete areas of exposed sediment such as gravel bars within a length of river or burn not exceeding 1 kilometre (Activity K)			

1. The width is the straight-line distance measured between the toe of the banks of any watercourse, which spans the bed of the watercourse, including any exposed bars and vegetated islands.

NB: Fees are as per 2023/24 financial year.

General Conditions of registrations

The engineering works must not:

- a) Cause significant erosion of the bed or banks and/or deposition of sediment in the water environment;
- b) Cause harm to freshwater pearl mussels;
- c) Cause harm to fish;
- d) Cause the spread of invasive non-native species within the water environment; (
- e) Prevent the passage of migratory fish; or
- f) Have significant adverse impact on private drinking water supplies.

The engineering works must not have a significant adverse impact on the water environment as a result of:

- a) Iridescence/sheen;
- b) Discolouration
- c) Deposition of solids;
- d) Increased foaming.

Where the channel, bed or banks immediately adjacent to the engineering works have been adversely impacted by the works, they must be restored to at least their previous condition as soon as reasonably practical.

Registration activity A

Sediment management in canals, lades and other artificial waterbodies

- Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity B

Sediment management within 10m of bridges

- Sediment must only be removed within 10 metres of a bridge.
- Must not heighten the banks of the watercourse.
- Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity C

Sediment management in open culverts

- Must only be undertaken where bed width is less than 2 metres. Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity D

Greenbank reinforcement

- Reinforcement must be no more than 50 metres in total length.
- Must be constructed of:
 - Vegetation; and/or
 - Biodegradable geotextiles; and/or
 - Un-treated wood; and/or
 - Non-grouted stone rip-rap.
- Wood and non-grouted stone rip-rap must only be placed at the bank toe.
- Must not heighten the banks of the watercourse.
- Must not alter the existing bed width of the watercourse.

Registration activity G

Closed culvert

- Must only be undertaken where bed width is less than 2 metres.
- The culvert base must be laid below the existing bed level.
- Must not create a step in the bed of the watercourse.
- Must not reduce the existing bed width of the watercourse.

- Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity H

Pipeline or cable crossing

- Must be laid beneath the existing bed of the watercourse.
- Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity K

Removal of sediment from individual exposed sediment deposits

- Sediment must not be removed from:
 - more than one third of the total number of individual exposed sediment deposits in a 1km stretch of the affected watercourse; and
 - the same individual exposed sediment deposit more frequently than once every three years.
- Sediment must only be removed from:
 - a total length of no more than 30 metres (when measured along the bank) within; and
 - no more than 50% of the surface area of any individual exposed sediment deposit.
- Sediment must not be removed from any part of an individual exposed sediment deposit that is:
 - within a buffer zone of 1 metre from the wetted edge of that deposit, for sediment deposits that are less than 10
 - metres wide at their widest points;

- within a buffer zone of 2 metres from the wetted edge of that deposit, for sediment deposits that are 10 metres wide or more at their widest points; and
 - below the level of the highest point of the buffer zone.
- Removed sediment must not be left on the banks of any watercourse, such that its placement heightens the banks.
- Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity L

Removal of sand, silt or clay from up to 500m of the bed of previously straightened rivers and burns which are $\geq 1\text{m}$ and $< 5\text{m}$ wide

- The total length of the bed of the affected watercourse from which sand, silt or clay can be removed must not exceed 500 metres.
- Sand, silt or clay must only be removed from a watercourse with a bed width of less than 5 metres.
- The bed of the worked channel must be graded at an angle to tie in with the existing bed levels upstream and downstream.
- Must not alter the existing bed width of the watercourse.
- Removed sediment must not be left on the banks of any watercourse, such that its placement heightens the banks.
- Must not be undertaken during the period in which fish are likely to be spawning in the affected watercourse nor in the period between such spawning and the subsequent emergence of the juvenile fish.¹

Registration activity O

Grey Bank reinforcement

- Reinforcement must be no more than 20 metres in total length.
- Must not heighten the banks of the watercourse.
- Must not alter the existing bed width of the watercourse.
- Must be adjacent to and for the protection of, an existing engineered structure.

1. *For advice on the presence of fish please consult with [NatureScot](http://www.nature.scot) (www.nature.scot) and [Fisheries Management Scotland](http://www.fms.scot) (www.fms.scot)*

For information on accessing this document in an alternative format or language, please contact SEPA by emailing equalities@sepa.org.uk

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