

# Get authorisation for river and loch work and follow the rules to avoid £600 penalty

✘ 23 May 2018

Carrying out engineering works in the water environment without authorisation from SEPA, or breaching authorisation conditions, will now result in a £600 Fixed Monetary Penalty. Both contractors and land owners/occupiers can be liable for penalties. Poor engineering can lead to land loss and increased susceptibility to soil erosion and flooding.

Anyone planning to carry out engineering works in or near rivers and lochs must make sure they have all the appropriate authorisations in place before they begin, or face a £600 Fixed Monetary Penalty from the Scottish Environment Protection Agency (SEPA). The penalty can be issued to both landowners and contractors who carry out engineering works without the appropriate authorisation or who breach an authorisation condition.

In recent years, there has been great progress with river engineering, with better engagement and partnership working between SEPA and land managers, and the number of engineering authorisations has increased. But unauthorised river engineering and breaches of General Binding Rules, registrations or licence conditions remains a regulatory problem that SEPA is determined to tackle.

Engineering works can damage habitat in rivers, lochs and wetlands, in turn affecting populations of invertebrates, plants, birds and mammals. Engineering works can also block the passage of migrating fish and damage spawning habitats during sensitive times. Some affected fish, such as salmon, are an important economic resource in many areas of Scotland. Engineering can also result in erosion of valuable adjacent land resources.

SEPA hopes increased awareness of authorisation requirements and the new enforcement measures will help deter non-compliance.

Shona McConnell, SEPA Unit Manager, said:

“Every day SEPA works to enhance and protect Scotland’s environment. Engaging with water users, land managers and other partners to provide advice, support and guidance is one of the key ways we do this. SEPA is committed to helping land managers and contractors do the right thing and SEPA staff are available to talk through projects to ensure that everyone understands what is required before, during and after any works.

“We are very clear that environmental compliance is non-negotiable and if you’re paying for a registration or licence and complying with the conditions, we want you to be confident that others are doing so too. So if

you are carrying out engineering works in or near rivers and lochs without the right authorisations you can expect to be given a Fixed Monetary Penalty, at the very minimum. For the most serious offences, and where it is in the public interest to do so, we will continue to report offenders to the procurator fiscal.”

Engineering works requiring authorisation from SEPA include:

- the removal of sediment (gravel, sand, silt) from rivers, lochs and wetlands;
- construction of bank protection, embankments or floodwalls;
- construction of new bridges, fords and culverts;
- any new structures built on the bed of a river, burn or loch;
- river diversions and realignments;
- restoration and enhancement works, including the removal of structures;
- any other activity likely to pose a risk of significant adverse impact.

There is a wealth of advice and information available on [SEPA's website](#), including a range of good practice guides. Further, SEPA's [CAR Practical Guide](#) has been designed to provide clear and practical advice to anyone carrying out an activity covered by the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended), known as CAR. It helps you determine which level of authorisation you need to apply for, and how to do it, with an entire section on engineering works.

Details of Fixed Monetary Penalties are also published on [SEPA's website](#) in line with the legislative requirement.

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## **Scotland's sustainable businesses leading the UK at European Awards**

 10 May 2018

Scotland's sustainable businesses will be leading the way for the UK on the European stage later this year with 10 out of the 11 UK businesses shortlisted for the 2018 European Business Awards for the Environment (EBAE) from Scotland.

Some of Scotland's most progressive and innovative companies from a wide range of sectors including food and drink, hospitality, transport, recycling and security sectors will represent the UK at the prestigious awards to be held in Autumn this year.

Each company has been selected following their success at the Scottish

Government and Scottish Environment Protection Agency backed VIBES – Scottish Environment Business Awards, and include; EC-OG, Edinburgh International Conference Centre (EICC), Farne Salmon and Trout Ltd, Guala Closures UK, Glenuig Inn, Jaw Brew, John Lawrie (Aberdeen) Limited, Marlin Industries Scotland Ltd, Paterson Arran and Veracity UK Limited.

The award-winning companies showcase the example Scotland's businesses are setting when it comes to tackling the effects of climate change. This include Jaw Brew's circular, restorative approach to managing resources by using surplus morning rolls to produce its Hardtack beer whilst Farne Salmon's innovative approach has seen them invest in a recycling plant that enabled them to turn a cost into a new income stream.

In total 11 UK companies were put forward by The Royal Society for the Encouragement of Arts, Manufacturers and Commerce (RSA) Environment Awards Forum to represent the UK in the EBAE which are open to 28 member states. EnTrade joins the list of nominees.

Cabinet Secretary for the Environment, Climate Change and Land Reform Roseanna Cunningham said: "Congratulations to these businesses who are using their creativity to come up with ways of reducing emissions and helping to show Scotland's leadership on climate change.

"The Scottish Government has a clear vision for a low carbon Scotland. We want to build a country which trains, attracts and retains the businesses and the innovators who will shape the low carbon transition. I hope these businesses will encourage others to think innovatively about how we can create a cleaner, greener, climate-ready Scotland."

Terry A'Hearn, CEO of SEPA, said: "The scale of environmental challenge facing humanity is enormous, with a real urgency to act. Scotland is a global leader in its commitment to tackling climate change, in protecting and enhancing our environment, in strengthening our international reputation for sustainable growth and in supporting a transition to low-carbon economy. Scottish businesses have recognised the economic opportunity, reflected in the fact over 90% of the UK delegation are from Scotland and the SEPA backed VIBES programme.

"I would like to congratulate all of the nominated companies for their success in reaching this stage of the EBAEs and wish them every success in the competition."

The EBAE recognises outstanding, new or innovative contributions to sustainable development and the UK finalists will compete against winners from 28 other countries.

Each member state can put forward a maximum of 12 entries to the awards with UK entrants selected from the winners and runners up of RSA Accredited award schemes, including Scotland's VIBES Awards which is the only Scottish based RSA Accredited Awards.

For further details about the Awards visit:

[http://ec.europa.eu/environment/awards/about\\_ebae.html](http://ec.europa.eu/environment/awards/about_ebae.html)

For further details about the VIBES – Scottish Environment Business Awards, please visit: <http://www.vibes.org.uk/>

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**Notes to editors:**

A complete list of the 11 companies representing the UK as finalists in the European Business Awards for the Environment is as follows:

<b>Company</b>	<b>Category</b>	<b>Comments</b>
Paterson Arran	Management	VIBES entry
Glenuig Inn	Management (micro)	VIBES entry
Farne Salmon and Trout Ltd	Management (large)	VIBES entry
EICC Edinburgh International Conference Centre	Management (small)	VIBES entry
Guala Closures UK	Process	VIBES entry
Jaw Brew	Process	VIBES entry
John Lawrie (Aberdeen) Limited	Process	VIBES entry
EnTrade	Product	Faversham House entry
EC-OG	Product	VIBES entry
Veracity UK Limited	Product	VIBES entry
Marlin Industries Scotland Ltd	Product	VIBES entry

Issued on behalf of VIBES – Scottish Environment Business Awards by The BIG Partnership

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## [SEPA calls on public to join national flood conversation](#)

 01 May 2018

The Scottish Environment Protection Agency (SEPA) has today (Tuesday 1 May 2018) launched the start of a national conversation to improve Scotland's future flood risk management plans.

The above assets are available for print, online and broadcast media to use to illustrate this story. Please [click through to our media gallery](#) to download them – no registration is required. All related items will be shown on the same page.

- SEPA's national consultation on the designation of areas which are potentially vulnerable to flooding begins today (1 May 2018)
- SEPA is seeking feedback to ensure local knowledge across Scotland is captured
- Information will improve future flood risk management strategies and plans

Potentially Vulnerable Areas (PVAs) are where significant flood risk exists now or is likely to occur in the future. Identifying those areas is a vital part of protecting people, properties, communities, businesses, infrastructure and environment.

PVAs are based on Scotland's National Flood Risk Assessment (NFRA), which is updated and published every 6 years. This provides a clear picture of past, current and future flood risk and feeds into SEPA's Flood Risk Management Strategies and Local Authority Flood Risk Management Plans.

SEPA is calling on people from across Scotland to shape its understanding by sharing their local knowledge to help make Scotland become more resilient in the face of increased flood events. Members of the public have until Tuesday 31 July 2018 to have their say on the consultation which is available to view at: <https://consultation.sepa.org.uk/evidence-and-flooding/pvas2018>

Designation of an area as a PVA allows local authorities and public bodies to work with communities to focus activities on reducing the impacts of flooding. Better data has provided a greater understanding of the location of properties and access to better mapping and modelling has improved the assessment of flood risk.

The Scottish Government has provided funding of £42 million a year through the local government settlement for local authorities to invest in major new flood protection schemes.

Environment Secretary Roseanna Cunningham said:

"Climate change is the cause of one of the biggest flooding threats to Scotland so it's crucial that we take action now to adapt and adjust to its effects.

"SEPA's National Flood Risk Assessment is based on improved evidence, and will help us better understand and assess the causes and consequences of flooding. It allows us to identify the areas at most risk and put in place measures to protect them.

"This consultation is a crucial part of the process and will help us make sure individuals are as prepared as they can be for flooding."

Terry A'Hearn, SEPA's Chief Executive, said:

"Every day SEPA works to help Scotland prepare more powerfully for future increased flooding. Flooding can have a major impact on residents, communities and Scottish businesses but Potentially Vulnerable Area designation can help to reduce the impact which flooding can have on people's

lives.

“As part of the next phase of our National Flood Risk Assessment we’re using the best available scientific data from SEPA, local authorities and other partner organisations. But more than that, we want to hear from local people in communities across Scotland to ensure we have a true understanding.

“So I strongly encourage you to tell us what you think by 31 July. Your views really do count – we’ll consider what you tell us and publish our results in December 2018”.

The output of the 2018 National Flood Risk Assessment is part of a long term process. The results of the NFRA, which will be published in December 2018, will go on to inform future flood risk management plans to be published in 2021.

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## [Last call to find Scotland’s Green Business Champions](#)

📅 24 April 2018

The search for Scotland’s best green businesses is drawing to a close this week with just a few days remaining for companies to enter the VIBES – Scottish Environment Business Awards.

The awards, which are free to enter, are calling on businesses of all sizes and sectors across Scotland who are implementing sustainable practices to get in touch and apply before 5pm on Friday 27 April 2018.

Now in their 19<sup>th</sup> year, the awards are urging Scotland’s businesses to challenge their everyday working practices and embrace the economic opportunity of sustainability. This could be anything from reducing the use of plastic and empowering staff to make more sustainable decisions to supporting Scotland’s circular economy by identifying how waste materials can be re-used.

As well as saving money and enhancing their environmental performance, businesses employing sustainable practices are reaping the benefits of an engaged workforce, positive working culture and improved competitiveness as well as contributing towards a better economy and society as a whole.

There are nine award categories to choose from including; Management Large, Management SME, Green Team, Sustainable and Active Travel, Circular Economy, Environmental Product or Service, Innovation, Hydro Nation Water Innovation

and a Micro Business Award.

A Climate Adaptation commendation is also being introduced this year, in partnership with Adaptation Scotland, and will reward a business that has demonstrated managing climate related risks or has created a product or service to help society adapt.

Bob Downes, chair of SEPA and head of the VIBES judging panel, added: “The scale of environmental challenges facing humanity is enormous and there is a real urgency to act. The successful businesses of tomorrow will be those who embrace the economic opportunity of sustainable solutions to environmental challenges and through the VIBES Awards, we hope to inspire others to make a difference not only in support of the environment but also to benefit their bottom line.”

The 2018 Awards will be held on 14 November at The Radisson Hotel, Glasgow. Award sponsors to date include Adaptation Scotland, Energy Saving Trust, Greenvale AP, Scottish Government, ScottishPower and University of Stirling Management School.

For more information on VIBES – Scottish Environment Business Awards or to obtain an application form, please visit [www.vibes.org.uk](http://www.vibes.org.uk).

**Ends**

**Notes to editor**

VIBES – Scottish Environment Business Awards is a strategic partnership between Scottish Environment Protection Agency, Scottish Government, Scottish Water, Scottish Enterprise, Highland and Islands Enterprise, Zero Waste Scotland and Energy Saving Trust. The Awards are further supported by CBI Scotland, the Institute of Directors, the Federation of Small Businesses, Bright Green Business, Quality Scotland and the Scottish Council for Development and Industry.

The Awards are accredited by the [RSA Environment Awards Accreditation Scheme](#).

Issued on behalf of VIBES – Scottish Environment Business Awards by The BIG Partnership

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**[Tyre recycling company and manager sentenced for illegal Ayrshire tyre site](#)**

Scotland's environmental watchdog is reminding all companies of the importance of working within the regulations after an Ayrshire tyre recycling company was fined £27,000 on 18 April 2018, and a manager of the company was ordered to carry out 300 hours of unpaid work under a Community Payback Order and to pay a Confiscation Order of £44,711 for waste offences at a site in Irvine.

The above assets are available for print, online and broadcast media to use to illustrate this story. Please [click through to our media gallery](#) to download them – no registration is required. All related items will be shown on the same page.

Autowaste Services Scotland Ltd, and a manager Stephen Gillies, had pled guilty at Kilmarnock Sheriff Court to depositing, keeping, sorting and baling waste tyres at Unit 32B Kyle Road, Irvine without a waste management licence. The company had also failed to remove the waste tyres when required to do so by a notice served by the Scottish Environment Protection Agency (SEPA).

Terry A'Hearn, SEPA's Chief Executive, said

"This is the sort of tough action we need to be seen taking against these sort of operators who have no regard for Scotland's environment.

"Every society has a series of waste streams, it's important that they're minimised, it's important that, to the extent we have them, they're managed properly. This behaviour is the opposite of that, and SEPA will continue to take action against these sorts of operators and make sure they're held to account. So this is a message to good operators in the waste sector, that you won't be undermined by this sort of poor performance. And it's a message to the community that your environment will be looked after because we will find these sort of operators and make sure that the appropriate enforcement action is taken."

SEPA officers visited the site over 18 times between October 2014 and October 2015 after they discovered that many more waste tyres were being kept or deposited onto the site than were allowed under the terms of a registered waste exemption. Numerous verbal discussions took place with the company's management and they were sent advisory letters, warning letters and statutory notices about the limitations of the exemptions regime and the requirement for a waste management licence.

In October 2015 there were more than 46,000 waste tyres at the site. At that time, an operator needed to hold a waste management licence if more than 1,000 waste tyres were being stored on a site. (A change in the law on 1 April 2016 requires a licence if any quantity of third party tyres are to be stored). A licence is also required to sort and bale tyres. However, Autowaste Services Scotland Ltd did not hold a waste management licence for the site.

The illegal and improper storage of large numbers of tyres presents a serious fire risk to the environment and communities. A waste management licence



would include the requirements that must be in place to provide protection to the environment and human health. As the risk to the environment at this site was significant, and the company did not take the required action to bring the site into compliance, SEPA was left with no option other than to pursue criminal prosecution by submitting a report to the Procurator Fiscal.

SEPA's Amanda Reilly said:

"SEPA works every day to protect the environment and we are very clear that compliance is not optional. Autowaste Services Scotland Ltd and its management were fully aware that it contravened environmental legislation in permitting waste tyres to be deposited, kept and baled at the site. The company had made several applications for Waste Management Licences, these were all returned due to a lack of information, but the company continued its activities even though a licence was not in place.

"In addition we would strongly urge landowners leasing out premises to businesses or individuals to remain vigilant to it being used for illegal waste activities such as the unauthorised storage of tyres. It is essential that landowners are aware they may have to pay out thousands of pounds for the removal of tyres left abandoned on their land by someone else. In this instance the local authority was left with a bill of nearly £60,000 to clear the site.

"SEPA is engaging with various companies, trade bodies and partner agencies to develop a plan for the future compliance state of the tyre sector as well as identifying where the sector as a whole can contribute to improvement of the environment, local communities and Scotland's economy."

**Ends**

### **Notes to editor**

The exact charges Autowaste Services Scotland Limited and Stephen Gilles pled guilty to were:

- Between 21st October 2014 and 9th October 2015 in or on land at Unit 32B, Kyle Road, Irvine, KA12 8LH, you Autowaste Services Scotland Ltd and Stephen Gillies did deposit, knowingly cause and knowingly permit to be deposited controlled waste, namely waste tyres on or in said land without the authority of a waste management licence; Contrary to the Environmental Protection Act 1990, Section 33(1)(a) & (6) as amended. And the foregoing offence was committed with the consent and connivance of or was attributable to the neglect of you Stephen Gillies, being a manager, or person purporting to be a manager, of the said company and being a person to whom Section 157(1) of the aforementioned Act applies.
- Between 21st October 2014 and 9th October 2015 at Unit 32B Kyle Road, Irvine, KA12 8LH you Autowaste Services Scotland Ltd and Stephen Gillies did treat and keep controlled waste, namely waste tyres, and did knowingly cause and knowingly permit controlled waste, namely waste

tyres, to be treated and kept in or on said land otherwise than in accordance with a waste management licence in that waste tyres were treated by sorting and baling and were kept on said land all when no waste management licence was in force authorising such keeping; Contrary to the Environmental Protection Act 1990, Section 33(1)(b)(i). And the foregoing offence was committed with the consent and connivance of or was attributable to the neglect of you Stephen Gillies, being a manager, or person purporting to be a manager, of the said company and being a person to whom Section 157(1) of the aforementioned Act applies.

- On 8th October 2015 at Unit 32B Kyle Road, Irvine, KA12 8LH you Autowaste Services Scotland Ltd, being the occupier of said land, did without reasonable excuse fail to comply with a requirement imposed under Section 59 (1)(a) of the aforementioned Act in that you failed to remove from said land all controlled waste deposited there namely waste tyres including tyre bales having been required to do so in a notice served on you under said section by the Scottish Environmental Protection Agency on 15th September 2015.