

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

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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.

Ends