

Natural England and Environment Agency launch joint legal action in response to River Lugg damage

Press release

Banks of the River Lugg were damaged in December 2020 causing suspected significant and long-term ecological harm.



The River Lugg in Herefordshire, pre December 2020

- Natural England and the Environment Agency are today launching legal action against the landowner
- The area is a Site of Special Scientific Interest (SSSI) which means permissions need to be granted before work can take place

Natural England and the Environment Agency have announced today they are beginning legal action against a landowner for damage to a protected area of the River Lugg in Herefordshire.

This follows a joint Natural England and Environment Agency in-depth investigation into ecological harm to the 1.5 kilometre of the protected stretch of the River Lugg. This investigation followed reports of unauthorised activity including dredging and changing the shape (profiling) of the riverbank in Kingsland in Herefordshire in December 2020.

This has been a serious and complex investigation which has taken a considerable length of time to complete.

The charges being brought against the landowner relate to:

- unconsented operations and causing damage to a Site of Special Scientific Interest
- carrying out activities within 8 metres of the River Lugg which were likely to cause damage to or endanger the stability of the river
- causing a water discharge activity, namely a discharge of silt into the

River Lugg

- failing to take reasonable precaution to prevent agricultural pollution from land management and cultivation practices on agricultural land
- wilfully disturbing spawn or spawning fish, or any bed, bank or shallow on which any spawn or spawning fish may be
- breach of a stop notice

The charges also relate to further works which are alleged to have been carried out by the landowner in December 2021.

Court action will now follow at Kidderminster Magistrates' Court.

Oliver Harmar, Chief Operating Officer at Natural England said:

The decimation of this section of the River Lugg has been devastating to the local environment and to local people, destroying the habitats of iconic wildlife such as otters, kingfisher and salmon. It was heart-breaking to see this beautiful riverside illegally damaged.

The River Lugg, post 2020

The River Lugg, post 2020

The area is protected as a Site of Special Scientific Interest (SSSI) due to its importance for nature. Consent is required before any works are carried out within a SSSI to the river which had not been granted.

[A press release on the unauthorised work was issued on 7 December 2020.](#)

Natural England is responsible for ensuring protection of SSSI areas and the Environment Agency is responsible for flood risk management, fish and spawning and the way rivers function.

Natural England has regulatory powers to prevent damage taking place to SSSIs and to take appropriate enforcement action, including prosecuting offenders where damage occurs.

The Environment Agency has powers to prosecute under the Environmental Permitting (England and Wales) Regulations 2016; Water Resources Act 1991; and the Salmon and Fresh Water Fisheries Act 1975.

The hearing will be held at Kidderminster Magistrates' Court on 18 May 2022.

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