

Protecting our rivers - information for landowners

Spring 2021

This leaflet is to help landowners carry out their riparian responsibilities in line with environmental law that protects watercourse habitat and aquatic species.

You are responsible for getting the permissions you need before you undertake works on a watercourse. Further information is available online at www.gov.uk/guidance/owning-a-watercourse

Sustainable watercourse management

Watercourses can be vital to maintain land drainage for food production and to reduce flood risk, but any work on them must be undertaken in an environmentally sensitive way. In the past, river management often worked against natural processes.

Here is an example of a channel which has had material removed from the river bed and deposited along the top of the banks, which have been scraped back – in both cases destroying vegetation and habitat.

In recent years scientific evidence has proved that more natural and sustainable management often affords greater flood protection to people and property, while also providing significant benefits to wildlife, water quality and the landscape. So the law on riparian responsibility has been changed to reflect this.



Under the Environmental Permitting (England and Wales) Regulations 2016 you must get permission for certain activities in or around Main Rivers, or you may commit a criminal offence.

We take enforcement action where appropriate, ranging from requiring landowners to restore damage, through to prosecution for the worst cases. However we much prefer to work with landowners. We can provide pre-application permit advice about how watercourses can be managed sensitively to improve habitat and reduce flood risk. This includes advising on the method and timing of river maintenance and watercourse improvements:

- *so that they support as much wildlife as possible*
- *are in the best condition to adapt to our changing climate*
- *where possible reduce flood risk and improve water quality by working with natural processes*

What causes harm to our rivers

Harm can be caused to water quality, habitat and species by dredging the bed and scraping the banks of rivers and streams, and the large scale removal of vegetation or trees.

Removing vital habitat and physical river features in that way is different from well planned, sustainable management, which involves carefully executed de-silting or weed-cutting work. This will maintain flow whilst protecting fragile river habitats and legally protected species, ranging from fish to water voles and crayfish. Dredging or desilting may still be used in very controlled conditions by the Environment Agency, or by the landowner, with the relevant permissions in place to prevent harm.

This river is an example where the landowner has worked with us to return the channel to a more natural condition benefitting wildlife while maintaining land drainage and not increasing flood risk.



What sort of activity requires permission from the Environment Agency?

You must find out which permissions you need to carry out an activity that may affect flood risk on a Main River, or may cause damage to the river environment. This may include activities such as:

- major vegetation and tree works where the bank or river bed will be impacted (tree felling may also require a separate licence)
- some activities within 8 metres of the bank of a Main River or in the floodplain
- dredging, raising or removing any material from a Main River, including to improve flow
- altering the banks, or erecting, altering, repairing or maintaining any temporary or permanent structure in, over or under a Main River

Further information is available online

- <https://www.gov.uk/guidance/owning-a-watercourse>
- <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

The Environment Agency may use its powers to take action to reduce flood risk in areas of high risk, however responsibility for the watercourse remains with the landowner.

If the site has any statutory designations, such as but not limited to SSSI, SAC or Ancient Monument, then additional permissions from other authorities may be required. On watercourses not designated as Main River, permission is likely to be required from your lead Local Flood Authority or Internal Drainage Board.

Activities that can be damaging to the river environment:

- removal of bed and bank material like gravel from the channel
- deposition of material on river banks
- removal of fish and other aquatic organisms, for example freshwater mussels
- removal of in-stream vegetation
- removal of bankside trees and shrubs
- removal of all woody debris, for example fallen trees and branches
- creation of bare, steep earth banks with increased risk of erosion

The consequences may include:

- increased flood risk to land and property downstream, as water runs faster through dredged and canalised watercourses
- increased erosion and sediment run-off from un-vegetated banks
- destruction of rare and legally protected species and their habitats, such as water vole, otter, bat roosts fish and white-clawed crayfish
- loss of tree shading and fish habitat, which increases water temperatures and makes conditions unsuitable for fish egg and insect larvae development
- long-term deterioration of the watercourse's ecology – it can take hundreds of years for river gravels, pools and riffles to form naturally

Main River designation

You can find a map showing which watercourses are designated as Main River here:

<https://www.gov.uk/government/collections/main-river-map-for-england-proposed-changes-and-decisions>

For further information and advice contact us at

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www.gov.uk/environment-agency