

# Engineering and Construction Run-Off

## Permit

### Comrie Flood Protection Scheme

**CAR/L/5001509**

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Every day SEPA works to protect and enhance Scotland's environment, helping communities and businesses thrive within the resources of our planet.

We call this **One Planet Prosperity**



## Introduction



**This introduction is not part of the authorisation.**

### Authorisations

**Who we are:** The Scottish Environment Protection Agency (SEPA) is a non-departmental public body of the Scottish Government. Our purpose is to deliver environmental protection and improvement in ways that, as far as possible, also create health and wellbeing benefits and sustainable economic growth.

**Why we issue authorisations:** We are responsible for preventing or controlling pollution and improving the environment. One of the tools available to us is the authorisation of activities that present environmental risk. Authorisations give permission for these activities to occur and set conditions that the activities must comply with.

**When we issue authorisations:** We will issue an authorisation following our determination of an application, when satisfied that the authorised person has put in place measures to protect the environment and is capable of carrying out activities in line with the conditions of an authorisation.

**Changes to authorisations:** We can amend, suspend or revoke an authorisation in response to changes in legislation, the activities undertaken or authorisation holder performance.

**Compliance and enforcement:** SEPA Officers may undertake monitoring and inspections to assess compliance with authorisation conditions. All authorisations and inspection reports are publicly available. If an authorised person fails to comply with an authorisation, we may take enforcement action in line with our enforcement policy and guidance.

#### General information:

<b>Address:</b>	Comrie Flood Protection Scheme Comrie and Dalginross Perth and Kinross PH6 2EP
<b>Description of authorised activities:</b>	The carrying out of engineering works and discharge of water run-off from construction works at a construction site to the water environment.
<b>Environmental risks SEPA has regulatory powers to control:</b>	Protecting the water environment from any significant impact from engineering activities and discharge of water run-off from a construction site.

## Notice: Grant of Authorisation

This authorisation has been granted by the Scottish Environment Protection Agency (SEPA) in exercise of its powers under:  
The Water Environment (Controlled Activities) (Scotland) Regulations 2011.

<b>Authorisation Number:</b>	CAR/L/5001509
<b>Authorised Person:</b>	Perth and Kinross Council Pullar House 35 Kinnoull Street Perth PH1 5GD
<b>Date of Authorisation:</b>	31 May 2022
<b>Authorised Activities:</b>	The carrying out of engineering works, including any associated construction works and / or temporary structures, in or in the vicinity of inland water or wetlands and the discharge of water run-off from construction works at a construction site to the water environment.
<b>Authorised Place:</b>	The engineering works locations and construction site location as further detailed in the schedules of this authorisation.
<b>Conditions applicable to this authorisation:</b>	The conditions contained in the schedules of this authorisation. Terms used in this authorisation are, unless otherwise specified, defined in the Interpretation of Terms schedule.

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## Schedule 1: The Authorised Person and Activities

**Purpose:** This schedule places responsibility on the authorised person to ensure compliance with the conditions of this authorisation and details the activities that can be carried out.

### 1.1 Duty of Authorised Person

1.1.1 The authorised person must ensure compliance with the conditions of this authorisation.

### 1.2 Authorised Activities

1.2.1 The authorised activities are

- (a) the carrying out of engineering works, including any associated construction works and / or temporary structures, in or in the vicinity of, inland water or wetlands; and
- (b) the discharge of water run-off to the water environment from construction works at the construction site in Comrie on the plan attached at Appendix 1,

necessary for Comrie Flood Protection Scheme.

## Schedule 2: Impacts on the Water Environment

**Purpose:** This schedule limits the impact of the authorised activities on the water environment. These descriptive conditions cover the vast majority of impacts that may arise from pollution, and allow SEPA to take action if these impacts occur.

### 2.1 Environmental Impacts

2.1.1 The authorised activities, including any associated construction works and /or temporary structures, must not have a significant impact on the water environment as a result of:

- (a) Iridescence / sheen due to oil;
- (b) Discolouration;
- (c) Deposition of solids;
- (d) Increased foaming;
- (e) Microbiological growth.

## Schedule 3: Construction Water Run-Off

**Purpose:** This schedule limits the scale, location and impact of water run-off from construction works at the construction site. During construction, the development must be drained by a sustainable urban drainage system, or equivalent. The water run-off must be treated to meet the sample discharge limits.

### 3.1 Discharge Activities

- 3.1.1 The discharge of water run-off from the construction site must be treated by a sustainable urban drainage system or equivalent.
- 3.1.2 The discharge of water run-off from the construction site must not be chemically treated.

### 3.2 Environmental Limits

- 3.2.1 Any of the discharges specified in Table 1 must not exceed the corresponding limits specified in Table 1.

**Table 1 Sustainable Urban Drainage System, or equivalent, Discharge Limits**

Discharge	Limit	
	Suspended Solids (mg/l)	pH
Discharge of water run-off to the River Earn catchment	80	>5 and <9
Discharge of water run-off to the Water of Ruchill catchment	80	>5 and <9
Discharge of water run-off to the River Lednock catchment	80	>5 and <9

- 3.2.2 The discharge of any other substance not specified in Table 1, to the water environment from the sustainable urban drainage system, or equivalent, must not cause environmental harm.

## Schedule 4: Engineering Works

**Purpose:** This schedule limits the scale, location and impact of the authorised engineering works. The water environment is protected using conditions. This schedule limits both Licence and Registration level activities.

### 4.1 Engineering Works

4.1.1 The engineering works in Table 2 must only be carried out:

- (a) At the corresponding location(s);
- (b) Subject to the corresponding limits; and
- (c) Subject to the corresponding controls;

specified in Table 2.

**Table 2 Engineering Works**

Engineering Works	Location	Limits	Controls
<b>Licence level activities</b>			
ACTIVITY 1 Embankment/ Floodwall	River Earn  Between NN 77384 21888 and NN 77915 22029	n/a	The total length of bank affected must be no more than 593 metres.  Must be constructed on the right bank of the watercourse.  Must be set back at least 3 metres from the existing bank top.
ACTIVITY 2 Embankment/ Floodwall	River Earn  Between NN 77364 21939 and NN 77606 22018	n/a	The total length of bank affected must be no more than 251 metres.  Must be constructed on the left bank of the watercourse.



Engineering Works	Location	Limits	Controls
			Must be set back at least 1.2 metres from the existing bank top.
ACTIVITY 3 Embankment/ Floodwall	River Lednock  Between NN 77575 22304 and NN 77600 22192	n/a	The total length of bank affected must be no more than 110 metres.  Must be constructed on the right bank of the watercourse.  Must be set back at least 1 metre from the existing bank top.
ACTIVITY 4 Embankment/ Floodwall	River Lednock  Between NN 77617 22270 and NN 77610 22193	n/a	The total length of bank affected must be no more than 74 metres.  Must be constructed on the left bank of the watercourse.  Must be set back at least 1 metre from the existing bank top.
ACTIVITY 5 Bank Reinforcement	River Earn  Between NN 77420 21920 and NN 77520 21950	n/a	The total length of bank affected must be no more than 120 metres.  Must be constructed on the right bank of the watercourse.  Must not heighten the banks of the watercourse.  Must not alter the existing bed width of the watercourse.

Engineering Works	Location	Limits	Controls
ACTIVITY 6 Bank Reinforcement	River Earn  Between NN 77699 22042 and NN 77771 22058	n/a	<p>The total length of bank affected must be no more than 80 metres.</p> <p>Must be constructed on the left bank of the watercourse.</p> <p>Must be green bank reinforcement.</p> <p>Must not heighten the banks of the watercourse.</p> <p>Must not alter the existing bed width of the watercourse.</p>
ACTIVITY 7 Embankment/ Floodwall	River Lednock  Between NN 77626 22095 and NN 77633 22056	n/a	<p>The total length of bank affected must be no more than 36 metres.</p> <p>Must be constructed on the left bank of the watercourse.</p> <p>Must be set back at least 2.5 metres from the existing bank top.</p>
ACTIVITY 8 Embankment/ Floodwall	River Earn  Between NN 77702 22060 and NN 77759 22073	n/a	<p>The total length of bank affected must be no more than 65 metres.</p> <p>Must be constructed on the left bank of the watercourse.</p> <p>Must be set back at least 5 metres from the existing bank top.</p>

Engineering Works	Location	Limits	Controls
ACTIVITY 9 Bank Reinforcement	Water of Ruchill  Between NN 77111 21767 and NN 77270 21570	n/a	The total length of bank affected must be no more than 225 metres.  Must be constructed on the right bank of the watercourse.  Must be green bank reinforcement.  Must not heighten the banks of the watercourse.  Must not alter the existing bed width of the watercourse.
ACTIVITY 10 Removal of grey bank reinforcement	Water of Ruchill  NN 77230 21700	n/a	The total length of grey bank reinforcement to be removed on the right bank shall be 40 metres.
<b>Registration level activities</b>			
(ACTIVITY F) BRIDGE OR BOTTOMLESS ARCH CULVERT	River Lednock  NN 77617 22055	The total length of bank affected must be no more than 20 metres.	Must not be constructed on the bed.  Must not alter the existing channel width.  Any works in the wetted part of the channel, must not be undertaken during the period in which fish are likely to be spawning in the watercourse nor in the period between such spawning and the subsequent emergence of juvenile fish.

- 4.1.2 The engineering works, including any associated construction works and / or temporary structures, in Table 2 must not:
- (a) Cause significant erosion of the bed or bank 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 an adverse impact on private drinking water supplies.
- 4.1.3 Construction works and the installation and/or removal of temporary structures in the wetted part of inland waters associated with those engineering works in Table 2 must:
- (a) Only be undertaken where it is impracticable to complete the works otherwise;
  - (b) Not be undertaken during the period in which fish are likely to be spawning in the affected watercourse or loch nor in the period between such spawning and the subsequent emergence of juvenile fish.
- 4.1.4 Temporary structures on the bed and banks of the inland waters associated with those engineering works in Table 2, must be removed as soon as reasonably practicable after the completion of the associated engineering works.

## 4.2 Restoration

- 4.2.1 Where the channel, bed or banks immediately adjacent to the engineering works in Table 2 have been adversely impacted by those engineering works, they must be restored to at least their previous condition as soon as reasonably practicable.
- 4.2.2 Where the channel, bed or banks have been adversely impacted by any associated construction works and /or temporary structures, they must be restored to at least their previous condition as soon as reasonably practicable.

## Schedule 5: Environmental Events

**Purpose:** This schedule requires the cessation, prevention and reporting of any potentially polluting event that may arise from the authorised activities.

### 5.1 Notification of SEPA

5.1.1 SEPA must be notified via its pollution hotline contact telephone number as soon as reasonably practicable, and in any case within 24 hours of identification of an event, of any of the following:

- (a) An event that has caused or could cause adverse impact to the environment or harm to human health;
- (b) An event that results, or could result, in an emission to the environment that is not authorised;
- (c) An event that has caused a breach of a condition of this authorisation.

### 5.2 Management of the Event

5.2.1 All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.

### 5.3 Reporting of the Event

5.3.1 Within 14 days of an event a report must be submitted to SEPA detailing:

- (a) The reason(s) for the event;
- (b) The action(s) taken to stop the event and minimise the impacts; and
- (c) The action(s) taken to prevent the event from recurring.

## Schedule 6: Record Keeping

**Purpose:** This schedule requires the authorised person to keep records of specific activities carried out and to provide SEPA with specified information at regular intervals.

### 6.1 Record Keeping

- 6.1.1 All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:
- (a) True and accurate;
  - (b) Kept for a minimum of six years; and
  - (c) Provided to SEPA upon request.

## Schedule 7: Interpretation of Terms

For the purposes of this authorisation, and unless the context requires otherwise, the following definitions apply.

Term	Definition
authorisation	The Water Use Licence granted by SEPA under <a href="#">The Water Environment (Controlled Activities) (Scotland) Regulations 2011</a> .
authorised activities	The activities which may be carried on under this authorisation.
authorised person	The holder of this authorisation and person responsible for securing compliance with the conditions of it.
authorised place	The geographic location or locations at which the authorised activities may be carried on.
bank height	The height of the bank of any inland water measured vertically from the bank toe to the bank top, excluding any artificial heightening of the bank (e.g. embankments, retaining walls);
bank toe	The lowest point on the bank of any body of inland water where the bank meets the bed of the body of inland surface water.
bank top	The first major break in the slope of the bank of any body of inland water, beyond which cultivation or development would be possible.
bed	The base of the channel, between the toe of one bank and the toe of the opposite bank.
bed level	The level of the bed relative to a specific point
bed width	The straight line distance as measured across the bed of the inland water, between the toe of one bank and the toe of the opposite bank.
channel	The bankfull cross-section that any inland water occupies, including any exposed bars and vegetated islands.
channel width	The straight line distance that is between opposite bank tops of inland water and which spans the bed and bank face of inland water, including any exposed bars and vegetated islands



Term	Definition
construction works	The carrying out of any building, civil engineering or engineering construction works, including the clearance or preparation of the site.
environmental harm	<p>(a) Harm to the health of human beings or living organisms,</p> <p>(b) Harm to the quality of the water environment, including:</p> <p style="padding-left: 40px;">(i) harm to the quality of the water environment taken as a whole,</p> <p style="padding-left: 40px;">(ii) other impairment of, or interference with, the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems,</p> <p>(c) Offence to the sense of human beings,</p> <p>(d) Damage to property, or</p> <p>(e) Impairment of, or any interference with, amenities or other legitimate uses of the water environment.</p>
event	<ul style="list-style-type: none"> <li>• Any accident which has caused or could cause environmental harm; or</li> <li>• Any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or</li> <li>• Force majeure or action taken to save human life or limb.</li> </ul>
green bank reinforcement	Soft bank reinforcement. Includes the use of vegetation and biodegradable geotextiles. Also includes the use of rip-rap and log/timber restricted to the bank toe.
inland water	All standing or flowing water on the surface of the land (other than transitional water) within the landward limits of coastal water.
invasive non-native species	The same meaning as in the Wildlife and Countryside Act 1981(a)
left bank	Left bank of a watercourse when facing downstream.
right bank	Right bank of a watercourse when facing downstream.
SEPA	Scottish Environment Protection Agency.

Term	Definition
surface water	Inland water (other than groundwater), transitional water and coastal water.
Surface water drainage system	A system, such as a SUD system, that is used to collect and drain water run-off from one or more premises and transport it to, and discharge it into, the water environment
sustainable urban drainage system	A drainage system which: <ul style="list-style-type: none"> <li>(a) facilitates attenuation, settlement or treatment of surface water from two or more premises (whether or not together with road water), and</li> </ul> includes one or more of the following: inlet structures, outlet structures, swales, constructed wetlands, ponds, filter trenches, attenuation tanks and detention basins (together with any associated pipes and equipment)
water environment	All surface water, groundwater and wetlands.
watercourse	Includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows and includes artificial watercourses and underground watercourses.
wetland	An area of ground the ecological, chemical and hydrological characteristics of which are attributed to frequent inundation or saturation by water and which is directly dependent, with regard to its water needs, on a body of groundwater or a body of surface water

Except where specified otherwise, any reference to an enactment or statutory instrument includes a reference to it as amended (whether before or after the date of the authorisation) and to any other enactment, which may after the date of the authorisation replace or amend it.



# Appendix 1. Plan of Construction Site

