Dr Timothy Jacklin The Wild Trout Trust Limited PO Box 120 Waterlooville PO8 0WZ Our ref: EPR/JB3552SQ

Date: 26<sup>h</sup> February 2021

Dear Dr Timothy Jacklin,

### Your new environmental permit

**Permit reference:** EPR/JB3552SQ **Operator:** The Wild Trout Trust Limited

Description of Activity: Notching of Snake Lane weir and construction of 5 rock cascades

Site / Location: Snake Lane weir on the River Ecclesbourne, Duffield, Derbyshire (SK

33889 43492)

Our determination of your application for a permit is complete. We're satisfied that you can carry out your activities in accordance with the enclosed permit, without increasing flood risk, or harming land drainage or the environment. Please keep the permit in a safe place.

This letter contains web links to other documents. If you aren't able to access these please phone me on 020 771 41225 or email <a href="mailto:harvey.speed@environment-agency.gov.uk">harvey.speed@environment-agency.gov.uk</a>. Please quote our reference when contacting us.

Please look at the table below and note any of the things that apply to your permit.

If	then
you plan to keep your records at a site other than where the activity takes place	you need to let us know within 20 working days of receiving this letter.
your permit includes standard rules	we've enclosed the rules set/s. We may change these in future but will let you know about any changes. You must make sure you're always following the latest rules set.
your permit has a pre-operational condition requiring you to do something before work starts (for example submit a method of work, or have measures in place to reduce sediment mobilisation)	check the deadlines for completing these measures and make sure you carry them out by the times stated.
your permit requires you to notify us before works start	check the deadlines for notifying us and make sure you carry them out by the times stated.
your permit requires you to notify us when any particular work is complete	check the deadlines for notifying us and make sure you carry them out by the times stated.
you need to submit other returns or information	send these to us at the contact details above, unless we advise you otherwise.

Find out more about complying with your permit on our website https://www.gov.uk/topic/environmental-management/environmental-permits

This includes guidance on your management system and how you will be regulated.

Trentside Offices | Scarrington Road | West Bridgford | Nottingham | NG2 5BR

Customer services line: 03708 506 506 Email: enquiries@environment-agency.gov.uk

www.environment-agency.gov.uk



# Permit with introductory note

## The Environmental Permitting (England & Wales) Regulations 2016

The Wild Trout Trust Limited

Notching of the Snake Lane weir and construction of 5 rock cascades

National Grid Reference: SK 33831 43531, SK 33960 43472

Snake Lane weir on the River Ecclesbourne in Duffield, Derbyshire

Permit number

EPR/JB3552SQ

# Introductory note

## This introductory note does not form a part of the permit

The main features of the permit are as follows.

Notching of Snake Lane weir and replacement with a series of four rock cascades over a 150m length of the River Ecclesbourne to maintain upstream water levels and flow into the side channel. Introduction of an additional rock cascade to the side channel. The purpose of the project is to allow fish passage and it is being carried out in partnership with the Environment Agency.

The status log of the permit does not form part of the permit. It sets out the permitting history, including changes to the permit or permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/JB3552SQ	Duly made 27/10/2020	Application for the notching of the weir and construction of 5 rock cascades at the Snake Lane weir on the River Ecclesbourne in Duffield, Derbyshire
Additional information received	12/01/2021	Supporting modelling information received
Permit determined EPR/JB3552SQ	26/02/2021	Permit issued to The Wild Trout Trust Limited

End of introductory note

## **Permit**

## The Environmental Permitting (England and Wales) Regulations 2016

### **Permit number**

#### EPR/JB3552SQ

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

The Wild Trout Trust Limited ("the operator")

whose registered office is

13-17 Paradise Square Sheffield South Yorkshire S1 2DE

company registration number 03345901

to operate the following flood risk activities:

Notching of the Snake Lane weir and construction of 5 rock cascades.

at

Snake Lane weir River Ecclesbourne Duffield Derbyshire DE56 4FF

National Grid Reference: SK 33831 43531, SK 33960 43472

to the extent authorised by and subject to the conditions of this permit.

Name	Date
	26/02/2021
David Turnbull	
Partnership and Strategic Overview Team Leader	
East Midlands – Derbyshire and Leicestershire	

**Authorised on behalf of the Environment Agency** 

## **Conditions**

## 1 Management

## 1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
  - (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
  - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

## 2 Operations

### 2.1 Permitted activities

2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities").

### 2.2 The site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in red on the site plan at schedule 2 to this permit and showing National Grid Reference **SK 33831 43531, SK 33960 43472**.

## 2.3 Operating techniques

- 2.3.1 The operator shall use appropriate measures, including but not limited to those in the approved Method of Work:
  - (a) to minimise sediment mobilisation
  - (b) to minimise impact on biodiversity
  - (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
  - (d) for the storage and disposal or waste produced; and
  - (e) to prevent and minimise environmental harm.
- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 Measures shall be taken to ensure that the activities do not cause the spread of invasive non-native species or plant or animal diseases.
- 2.3.4 Measures shall be taken to ensure that fish will be protected.
- 2.3.5 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

## 3 Information

### 3.1 Records

- 3.1.1 All records required to be made by this permit shall:
  - (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.
- 3.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

## 3.2 Reporting

3.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

### 3.3 Notifications

- 3.3.1 The Environment Agency shall be notified no less than 7 days before the commencement of the activities.
- 3.3.2 Environment Agency shall be notified no less than 7 days after the activities are completed.
- 3.3.3 The Environment Agency shall be notified without delay following the detection of any breach of a limit specified in the permit or any significant environmental effects resulting from the activities or of any breach of the permit.
- 3.3.4 Written confirmation of actual or potential incidents or effects and breaches referred to in 3.3.3 shall be submitted within 24 hours.
- 3.3.5 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

- 3.3.6 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for flood risk, drainage or the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:
  - (a) the Environment Agency shall be notified at least 14 days before making the change; and
  - (b) the notification shall contain a description of the proposed change in operation.

## 3.4 Interpretation

- 3.4.1 In this permit the expressions listed in schedule 3 shall have the meaning given in that schedule.
- 3.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.
- 3.4.3 Any reference to a distance of a number of metres from a flood defence structure, drainage work, remote defence or sea defence is a reference to that distance as measured from the foot of the foregoing as the case may be.
- 3.4.4 Any reference to a distance of a number of metres from a river control work is a reference to that distance as measured from the nearest part of the river control work.
- 3.4.5 Any reference to a distance of a number of metres from a watercourse is a reference to that distance as measured horizontally from the foot of the bank on the landward side of the watercourse

# **Schedule 1 – Operations**

Table S1.1 ad	Table S1.1 activities		
Activity reference	Description of activities	Limits of activities	
	Permanent Works		
P1	Construction of 5 rock cascades on the River Ecclesbourne – 4 on the main channel and 1 on the leat channel.	The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 6 months of commencement.	
		The activities shall be carried out in accordance with:	
		application form received on 02/10/2020	
		document reference:	
		<ul> <li>Ref_01 Ecclesbourne at Snake Lane Weir Design Technical Note FINAL v1.0 dated May 2020.</li> </ul>	
		<ul> <li>Ref_02 Snake Lane Design Drawings FINAL v1.0 dated May 2020.</li> </ul>	
P2	Notching of the Snake Lane weir	The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 6 months of commencement.	
		The activities shall be carried out in accordance with:	
		application form received on 02/10/2020	
		document reference:	
		<ul> <li>Ref_01 Ecclesbourne at Snake Lane Weir Design Technical Note FINAL v1.0 dated May 2020.</li> </ul>	
		<ul> <li>Ref_02 Snake Lane Design Drawings FINAL v1.0 dated May 2020.</li> </ul>	
	Temporary or enabling works		
T1	Use of temporary structures (including cofferdams) for dewatering	The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 12 weeks of commencement.	
		The activities shall be carried out in accordance with:	
		<ul> <li>Ref_01 Ecclesbourne at Snake Lane Weir Design Technical Note FINAL v1.0 dated May 2020.</li> </ul>	
		<ul> <li>Ref_02 Snake Lane Design Drawings FINAL v1.0 dated May 2020.</li> </ul>	

Requirement	Measures (if measures are specified)	Document reference	Date Received
Condition 2.3.1	Approved Method of Work	Ref_03 Ecclesbourne at Snake Lane Method Statement FINAL v1.0 dated September 2020	02/10/2020
		Ref_04 Management System FINAL v.2.0 dated 01/02/21	01/02/2021
Condition 2.3.1 (a) to minimise impact on biodiversity	If clearance work is undertaken during the nesting season, a breeding bird survey shall be carried out by a suitably qualified and /or experienced person, if birds' nests are found works must not commence until mitigation measures are in place'	Ref_04 Management System FINAL v.2.0 dated 01/02/21	01/02/2021
Condition 2.3.1 (a) to minimise impact on biodiversity	An ecological survey must be undertaken within 14 days prior to the commencement of any works on	Ref_04 Management System FINAL v.2.0 dated 01/02/21	01/02/2021
	site. If evidence of any protected species is found you must contact the Environment Agency on 0800 80 70 60 to review the method of works and agree a new method of works if deemed necessary by the Environment Agency, before works can commence on site.	Preliminary Ecological Appraisal (PEA) dated December 2020	01/02/2021
Condition 2.3.1 (a) to minimise impact on biodiversity	The Operator must cease works immediately if crayfish are observed in the watercourse and or site area and must contact the Environment Agency on 0800 80 70 60 to review the method of works and agree a new method of works if deemed necessary by the Environment Agency, before works can commence on site.	RT Email Ref 1 – Crayfish	09/12/2020
Condition 2.3.1(c) to ensure there is no increase to flood risk or detrimental impact on drainage	The operator shall sign up to receive flood alerts from the Environment Agency. Upon receipt of alert the works shall cease and temporary works removed within 2 hours to allow the river to flow at full capacity.	Ref_04 Management System FINAL v.2.0 dated 01/02/21	01/02/2021
Condition 2.3.1(c) to ensure there is no increase to flood risk or detrimental impact on drainage	The operator must ensure an engineer is on site overseeing the works before any work is undertaken to the weir structure.	Ref_03 Ecclesbourne at Snake Lane Method Statement FINAL v1.0 dated September 2020	02/10/2020

# Schedule 2 - Site Plan



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## Schedule 3 - Interpretation

"application" means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

"authorised officer" means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

"EP Regulations" means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

"main river" means a watercourse or part of a watercourse designated as main river on the statutory main river map held by the Environment Agency.

"Method of Work" means a document forming part of the operator's management system, setting out the working methods for carrying out the activity and what measures will be taken to avoid or minimise the risks of environmental effects.

"approved Method of Work" means the operator's Method of Work approved by the Environment Agency.

"environmental effects" means:

- (a) flooding or risk of flooding;
- (b) harm to the environment or risk of harm to the environment; and
- (c) detrimental impact on drainage or risk of detrimental impact on drainage.

"environmental harm" means a result of human activity which may:

- (a) cause harm to the conservation, protection and enhancement of any species and habitats designated under any enactment as having special protection or priority;
- (b) prevent the achievement of environmental objectives within the meaning of the Water Framework Directive 2000/60/EC;
- (c) cause pollution; or
- (d) otherwise adversely affect the protection and enhancement of the environment.

**END OF PERMIT** 

There is a subsistence charge for your permit that applies when we carry out compliance checks. For most permits this will happen once and we will invoice you when the charge is due. If the permit continues over a longer period, deals with a number of activities, or has ongoing conditions, we may do compliance checks more than once and will invoice you at the time the compliance work is done.

### Rights of appeal

If you're not happy with any permit condition that has been imposed by the permit you may appeal to the Secretary of State. You must make your appeal no later than six months after the permit issue date. Further information about making an appeal and the forms you will need are available from the Planning Inspectorate website or from the contact details below.

Environment Appeals, Enforcement and Specialist case work division, The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0303 444 5584

Email: environment.appeals@pins.gsi.gov.uk

You must send written notice of the appeal and the documents listed below to the Secretary of State at the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to:

Victoria Douglass, Permitting Technical Specialist, Environment Agency, National Permitting Service, Knutsford Road, Latchford, Warrington, WA4 1HT.

Phone: 020 302 51094 Email-: victoria.douglass@environment-agency.gov.uk

The documents are:

- a statement of the grounds of appeal
- a copy of any relevant application
- a copy of any relevant environmental permit
- a copy of any relevant correspondence between the appellant and the regulator
- a copy of any decision or notice which is the subject matter of the appeal
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

If you have any questions about this permit please phone me on 020 771 41225 or email harvey.speed@environment-agency.gov.uk. Please quote our reference when contacting us.

Yours sincerely

**Harvey Speed** 

FCRM Officer | Partnerships and Strategic Overview East Midlands

Dr Timothy Jacklin Wild Trout Trust Ltd PO Box 120 Waterlooville PO8 0WZ

Our ref: EPR/JB3552SQ-V01

Date: 12/04/2022

Dear Dr Timothy Jacklin,

### Your new environmental permit

Permit reference: EPR/JB3552SQ-V01

**Operator:** Wild Trout Trust Ltd

**Description of Activity:** Notching of Snake Lane weir and construction of 5 rock cascades **Site / Location:** Snake Lane weir on the River Ecclesbourne, Duffield, Derbyshire (SK

33889 43492)

Our determination of your application for a permit is complete. We're satisfied that you can carry out your activities in accordance with the enclosed permit, without increasing flood risk, or harming land drainage or the environment. Please keep the permit in a safe place.

This letter contains web links to other documents. If you aren't able to access these please phone me on 07501552249 or email <a href="mailto:hannah.bonham@environment-agency.gov.uk">hannah.bonham@environment-agency.gov.uk</a>. Please quote our reference when contacting us.

Please look at the table below and note any of the things that apply to your permit.

If	then
you plan to keep your records at a site other than where the activity takes place	you need to let us know within 20 working days of receiving this letter.
your permit includes standard rules	we've enclosed the rules set/s. We may change these in future but will let you know about any changes. You must make sure you're always following the latest rules set.
your permit has a pre-operational condition requiring you to do something before work starts (for example submit a method of work, or have measures in place to reduce sediment mobilisation)	check the deadlines for completing these measures and make sure you carry them out by the times stated.
your permit requires you to notify us before works start	check the deadlines for notifying us and make sure you carry them out by the times stated.
your permit requires you to notify us when any particular work is complete	check the deadlines for notifying us and make sure you carry them out by the times stated.
you need to submit other returns or information	send these to us at the contact details above, unless we advise you otherwise.

Find out more about complying with your permit on our website

Environment Agency, Trentside Offices, Scarrington Road, West Bridgford, Nottingham, NG2 5BR

Customer services line: 03708 506 506 Email: <u>enquiries@environment-agency.gov.uk</u> www.environment-agency.gov.uk

### https://www.gov.uk/topic/environmental-management/environmental-permits

This includes guidance on your management system and how you will be regulated.

There is a subsistence charge for your permit that applies when we carry out compliance checks. For most permits this will happen once and we will invoice you when the charge is due. If the permit continues over a longer period, deals with a number of activities, or has ongoing conditions, we may do compliance checks more than once and will invoice you at the time the compliance work is done.

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Environment Appeals, Enforcement and Specialist case work division, The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0303 444 5584

Email: environment.appeals@planninginspectorate.gov.uk

You must send written notice of the appeal and the documents listed below to the Secretary of State at the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to:

Jeanette Stockton, Permitting Technical Specialist, Environment Agency, National Permitting Service, Knutsford Road, Latchford, Warrington, WA4 1HT.

Phone: 02030250662 Email: jeanette.stockton@environment-agency.gov.uk

The documents are:

- a statement of the grounds of appeal
- a copy of any relevant application
- a copy of any relevant environmental permit
- a copy of any relevant correspondence between the appellant and the regulator
- a copy of any decision or notice which is the subject matter of the appeal
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

If you have any questions about this permit please phone me on 07501552249 or email hannah.bonham@environment-agency.gov.uk. Please quote our reference when contacting us.

Yours sincerely,

Hannah Bonham Flood Risk Management Officer Partnership and Strategic Overview: East Midlands



# Notice of variation with introductory note

## The Environmental Permitting (England & Wales) Regulations 2016

**Wild Trout Trust Limited** 

Notching of the Snake Lane weir and construction of 5 rock cascades

National grid references: SK 33831 43531 to SK 33960 43472

Snake Lane weir on the River Ecclesbourne in Duffield, Derbyshire

Variation application number

EPR/JB3552SQ-V01

Permit number

EPR/JB3552SQ

## Introductory note

## This introductory note does not form a part of the notice

The following notice gives notice of the variation of an environmental permit.

Variation EPR/JB3552SQ-V01 is to alter the dimensions of the notch in Snake Lane weir.

The schedules specify the changes made to the original permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/JB3552SQ	Duly made 27/10/2020	Application for the notching of the weir and construction of 5 rock cascades at the Snake Lane weir on the River Ecclesbourne in Duffield, Derbyshire
Additional information received	12/01/2021	Supporting modelling information received
Permit determined EPR/JB3552SQ	26/02/2021	Permit issued to Wild Trout Trust Limited
Application EPR/JB3552SQ-V01	Duly made 09/02/2022	Application to vary the permit to change the design of the weir notching
Additional information received	16/03/2022	Supporting Method of Works and modelling information received
Permit determined EPR/JB3552SQ-V01	12/04/2022	Variation notice issued to Wild Trout Trust Limited. Changes not consolidated into permit

End of introductory note

## **Notice of variation**

## The Environmental Permitting (England and Wales) Regulations 2016

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 varies

### **Permit number**

EPR/JB3552SQ

#### Issued to

Wild Trout Trust Limited ("the operator")

OI

whose registered office is

First Floor Unit 4

**Broadfield Court** 

**Sheffield** 

**South Yorkshire** 

**S8 0XF** 

Company registration number: 03345901

to operate the following flood risk activities:

Notching of the Snake Lane weir and construction of 5 rock cascades.

at

Snake Lane weir River Ecclesbourne Duffield Derbyshire DE56 4FF

at

National grid references: SK 33831 43531 to SK 33960 43472

to the extent set out in the schedules.

The notice shall take effect from 12/04/2022.

Name	Date
	12/04/2022
David Turnbull Partnership and Strategic Overview Team Leader	
East Midlands	

**Authorised on behalf of the Environment Agency** 

### Schedule 1 - conditions to be deleted

None

### Schedule 2 - conditions to be amended

The document referred to in schedule 1, table S1.1 of the permit titled 'Ref\_02 Snake Lane Design Drawings FINAL v1.0' dated May 2020 submitted with the application are substituted by the following documents titled 'Ref\_02a\_Snakelane\_Design Drawings\_FINAL\_v1.0\_May20\_Issued\_AMENDED NOV 2021' received on 02/12/2021 and 'Existing & Proposed Section 2' dated 10/08/2021.

The document referred to in schedule 1, table S1.2 of the permit titled 'Ref\_03 Ecclesbourne at Snake Lane Method Statement FINAL v1.0', received 02/10/2020 submitted with the application is substituted by the following document titled 'Ecclesbourne at Snake Lane Weir - Outline Method Statement' received on 16/03/2022.

#### Schedule 3 – conditions to be added

The Operator must cease works immediately if dead or distressed fish are observed in the watercourse and or site area and must contact the Environment Agency on 0800 807060 to review the method of works and agree a new method of works if deemed necessary by the Environment Agency, before works can commence on site.