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# Guidance note

## **Technical Guidance: Flood risk activity exemptions**

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# Introduction

This document provides you with the conditions that you will need to meet should you wish to register for a Flood Risk Activity exemption under the Environmental Permitting Regulations (England and Wales) 2016.

If any of your proposed works exceed or do not meet the conditions set by the relevant exemption, you will need to apply for a bespoke Flood Risk Activity Permit.

Good Practice Guide 220: Technical guidance on flood risk activity definitions is available from the Natural Resources Wales website and will help you to interpret the meaning of any terms in this guidance that you might be unsure of.

Use the contents below to skip to the particular exemption you are interested in.

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# Flood Risk activity exemption 2: The erection of an electric cable service crossing over a main river

**Activity description:** The erection of an electrical cable service crossing over a main river.

**Types of activity you can carry out:** installation of an electricity service cable and associated poles across a main river.

## Types of activity you cannot carry out:

- Laying a cable on the surface of the river bed.
- Installing a duct within the cross section of a main river channel.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out on or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.

## Design conditions

- The service crossing is within 10° of perpendicular to the direction of flow in the main river;
- Permanent hazard markers are erected on both banks of the main river;
- The bed and banks of the main river are not disturbed by the works.
- The vertical and horizontal clearances of the service crossing comply with the requirements below:

Voltage (kV)	Vertical clearance(1) (metres)	Horizontal clearance(2) (metres)
<b>275</b>	15	15
<b>400</b>	15	15
<b>132</b>	12	15
<b>66</b>	12	15
<b>33</b>	9	10
<b>11</b>	9	10
<b>6.6</b>	9	10
<b>4.15</b>	6	9

(1) Vertical clearance above bank or flood bank crest level

(2) Horizontal clearance of any tower or support from the top of the landward side of the bank or flood bank of the main river.

## Time and manner conditions

- All excavated material not re-used on the site of the works is removed from the floodplain.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.

You can use the Flood Risk Map on the Natural Resources Wales' website to check for the location of Main Rivers: <https://naturalresources.wales/our-evidence-and-reports/maps/flood-risk-map/?lang=en>

The Wales Biodiversity Partnership website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list: <http://www.biodiversitywales.org.uk/>

This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 3: Service crossings below the bed of a main river

**Activity description:** The erection of a service crossing below the bed of a main river by directional drilling not involving an open cut technique.

**Types of activity you can carry out:** Installation of a pipe crossing or service duct by directional drilling beneath a main river.

**Types of activity you cannot carry out:** Installation of a cable/duct/pipe crossing within the bed of a main river by excavating an open trench.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The service crossing does not pass through any bank, culvert, flood defence structure or river control works on the main river or through any sea defence.
- The service crossing is 50 metres or more upstream of any impoundment or artificially raised channel.

## Design conditions

- The service crossing is within 10° of perpendicular to the direction of flow in the main river.
- A distance is maintained:
  - Of no less than 1.5 metres from the bed of the main river to the top of the service crossing; and
  - At the same height above sea level between points that are 5 metres beyond the top of each bank of the main river.
- The distance from the launch and reception pits to the landward side of each bank of the main river is:

- 8 metres or more in the case of a non-tidal main river; and
- 16 metres or more in the case of a tidal main river.
- Permanent hazard markers are erected on both banks of the main river.

## Time and manner conditions

- All excavated material not re-used on the site of the works is removed from the floodplain.
- The bed and banks of the main river are not disturbed by the works.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.

You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.

The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.

This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

There may be times where directional drilling is not successful. For example due to adverse ground conditions. Where this may be a concern, you are advised to discuss your proposals beforehand with your local NRW office. Alternative installation methods may require a Flood Risk Activity Permit, which could result in delays to the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 4: Service crossings attached to the outside of existing structures over a main river

**Activity description:** Service crossings attached to the outside of existing structures over a main river.

**Types of activity you can carry out:** Attaching a duct to the deck or solid parapet of a bridge above the arch openings of an existing structure.

## Types of activity you cannot carry out:

- Erecting a new structure to support a service crossing.
- Attaching a duct across the physical opening beneath a bridge.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The service crossing does not pass through any bank, culvert, flood defence structure or river control works on the main river or through any sea defence.

## Design conditions

- The service crossing does not project more than 1 metre horizontally from the structure.
- The service crossing follows the existing cross-sectional profile of the structure to the main river in both normal and flood flow.
- Permanent hazard markers are erected on both banks of the main river.



## Time and manner conditions

- A notification has not been sent by the regulator to the landowner that the structure has been identified for removal or modification in order to achieve the measures set out in the relevant River Basin Management Plan designed to move a water body to good status pursuant to article 4 of the Water Framework Directive.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- The side of the structure the service crossing is to be attached to. Where possible, we advise that a service crossing should be installed on the downstream side to minimise the risk of the service crossing being damaged by any floating debris carried by flood-flow.

# Flood Risk activity exemption 5: Footbridges

**Activity description:** The construction of footbridges.

**Types of activity you can carry out:** Constructing a footbridge.

**Types of activity you cannot carry out:** Constructing a vehicular access bridge.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 500m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The works do not impact species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.
- No works take place within 100 metres of any non-agricultural building in the floodplain or another man-made structure on or in the main river.

## Design conditions

- The length of the footbridge measured from the top of one bank of the main river to the top of the other bank is no more than 8 metres.
- The footbridge has no support in the watercourse, a deck width of no more than 1.5 metres and with a kickerboard of no more than 100mm in height.
- The footbridge does not reduce the cross-sectional area of the channel in the main river.
- The length of bank disturbed by the construction extends to no more than 1 metre either side of the footbridge;
- The footbridge is securely attached to foundations which are no closer than 1 metre to the edge of the bank;
- Construction of the footbridge does not require reinforcement of the bed or banks;

- The approach ramp and steps for the footbridge do not extend more than 4 metres from the landward side of the bank;
- The lowest point of the underside of the bridge is at least 600mm higher than the top of both banks of the main river;
- The height of the land at each end of the footbridge is not changed by the construction;
- Any parapet of the footbridge is of open construction comprising:
  - Post and rail,
  - Post and wire mesh fencing of 100mm or more spacing, or
  - Post and wire strands.

## Time and manner conditions

- The bed of the main river is not affected by the construction.
- All excavated material not re-used on the site of the works is removed from the floodplain.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 8: Maintenance of raised river or sea defences

**Activity description:** The maintenance of raised river or sea defences.

## Types of activity you can carry out:

- Raising low spots in an existing defence embankment or bank.
- Maintaining an existing raised defence.

## Types of activity you cannot carry out:

- Erecting a new defence.
- Realigning an existing defence.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.

## Design conditions

- The maintenance works use materials of the same kind as those present in the raised defences and does not alter the shape of those defences or overall height of the protection afforded by those defences.
- The raised defences are carrying out the functions for which they were originally designed.

## Time and manner conditions

- The works do not disturb the bed or, up to ground level, the banks of the main river.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 9: Maintenance of structures within the channel of a main river

**Activity description:** The maintenance of structures within the channel of a main river other than raised river or sea defences.

**Types of activity you can carry out:** Maintaining an existing weir structure.

**Types of activity you cannot carry out:** Installing a new in-river structure

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The works do not have a significant adverse effect on species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.

## Design conditions

- The maintenance works do not alter any dimension of the structure.
- The structure is carrying out the functions for which it was originally designed.
- The maintenance works use materials of the same kind as those present in the structure.

## Time and manner conditions

- The maintenance work does not occur between 15th March and 15th June inclusive in any year.
- On a main river that is a designated salmonid river, the maintenance works do not occur between 1st October and 14th March inclusive in any year.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 10: Drinking bays

**Activity description:** The construction of a drinking bay on the bank of a main river.

**Types of activity you can carry out:** Creating a drinking area for stock that does not intrude beyond the bank profile.

**Types of activity you cannot carry out:** Creating any structure that crosses the channel

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 500m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The bay is not located within 100 metres of any other man-made structure on or in the main river.
- The works do not have a significant adverse effect on species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.
- The works do not occur in, or within 500 metres upstream of, a type of habitat included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act.

## Design conditions

- The bay is surrounded by a post and rail fence which must project into or over the main river no more than 1.2 metres or 10% of the width of the main river, whichever is less.
- The base of the bay has a surface made of concrete, stone or inert hard core.



- The works do not adversely affect any culvert, remote defence, river control works, sea defence or any raised embankment or wall forming part of the bank of the main river.
- The remainder of the bank is fenced so as to prevent damage.

## Time and manner conditions

- All excavated material not re-used on the site of the works removed from the floodplain.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 11: Access platforms

**Activity description:** The construction of access platforms on the bank of a main river or that project into or over a main river.

## Types of activity you can carry out:

- Erecting a fishing platform.
- Creating a platform to allow access to water's edge.

**Types of activity you cannot carry out:** Mooring of pontoons.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 500m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The platform is not located within 50 metres of any other man-made structure on or in the main river.
- The works do not have a significant adverse effect on species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.
- The works do not occur in, or within 500 metres upstream of, a type of habitat included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act.

## Design conditions

- The platform projects no more than 1.2m into or over the main river and occupies no more than 2m of bank length.

- The works do not adversely affect any culvert, remote defence, river control works, sea defence or any raised embankment or wall forming part of the bank of the main river.
- The part of the platform which projects over the channel is constructed as a flat deck, with no solid infill beneath the platform, supported on piers or piles of no more than 300mm width.
- Any steps cut into the bank are supported by timber risers on the vertical part of the step.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 12: Outfalls

**Activity description:** The construction of small outfall pipes and headwalls to main rivers.

**Types of activity you can carry out:** Creating a small headwall.

**Types of activity you cannot carry out:** Creating any structure that encroaches within the cross sectional profile of the existing channel.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The headwall is not located within 50 metres of any other man-made structure on or in the main river.
- The works do not have a significant adverse effect on species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.
- The works do not occur in, or within 200 metres upstream of, a type of habitat included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act.
- The headwall is not within 8 metres of a flood defence structure or river control works;
- The outfall pipe does not pass through or under any culvert, remote defence, river control works, sea defence or any raised embankment or wall forming part of the bank of the main river.

- Any pipe that discharges through the headwall does not pass within 8 metres of a flood defence structure.

## Design conditions

- In the case of a headwall to a non-tidal main river, the outfall pipe is aligned to an angle of between 30° and 60° to the direction of flow in the river.
- The diameter of the outfall pipe is less than 300mm.
- The height of the headwall is no more than 1.5 metres or no more than 75% of the height of the bank, whichever is less.
- The total length of bank affected during construction of the headwall is no more than 1.5 metres;
- The headwall, wing walls and apron do not project beyond the existing line of the bank prior to work being carried out;

## Time and manner conditions

- All excavated material not re-used on the site of the works must be removed from the banks and/or floodplain;

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 13: Repair and protection of banks using natural materials

**Activity description:** The repair and protection of main river banks using natural materials.

**Types of activity you can carry out:** Carrying out repairs using spiling or coir rolls.

**Types of activity you cannot carry out:** Carrying out works using sheet piling, concrete, cement or concrete bagwork, brickwork, gabions or non-biodegradable geotextiles.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The works do not take place within 50 metres of bank that has been reinforced using soft or hard engineering techniques.
- The works do not have a significant adverse effect on species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.

## Design conditions

- The length of bank affected by the works is no more than 10 metres.
- The works do not include the use of steel sheet piling, concrete, cement or concrete bagwork, brickwork, gabions or non-biodegradable materials.

- The works do not encroach into the channel of the main river beyond the line of the bank prior to the works being carried out;
- When the works are finished, the height of the bank does not exceed the lower of:
  - The height of the bank on either side of the works, and
  - The height of the bank prior to the works being carried out;
- The works are securely fastened to the bank at each end so as to prevent erosion behind the works.
- The works are not to a bank consisting of an earth cliff over 1 metre in height.

## Time and manner conditions

- The works do not involve the use of vehicles or wheeled or tracked machinery on the bed or bank of the main river.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 14: Repair of bank slips and erosion

**Activity description:** Repair of bank slips and erosion.

**Types of activity you can carry out:** Repair of bank slips and erosion.

**Types of activity you cannot carry out:** Re-align a river channel or encroach into the channel.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 500m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The works do not have a significant adverse effect on species included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act that are not protected species.

## Design conditions

- The work does not affect more than 10 metres of the bank at any one time.
- The works do not encroach into the channel of the main river beyond the line of the bank prior to the works being carried out.
- When the works are finished, the height of the bank does not exceed the lower of:
  - The height of the bank on either side of the works, and
  - The height of the bank prior to the slip or erosion.
- The works are securely fastened to the bank at each end so as to prevent erosion behind the works.
- Any repair of a bank slippage is made using as materials only material that has subsided from that bank.



## Time and manner conditions

- The works do not involve removal of material from the bed of the main river other than bank slippage.
- The works do not involve the use of a vehicle or of wheeled or tracked machinery on the bed or banks of the main river.
- Any repair of erosion uses materials of the same kind as those present on the relevant site.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 15: Channel habitat structures made of natural materials

**Activity description:** The installation of channel habitat structures made of natural materials (excluding weirs and berms).

**Types of activity you can carry out:** Installing woody debris structures.

**Types of activity you cannot carry out:** Creating weirs or berms.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- No works take place within 100 metres of:
  - a non-agricultural building in the floodplain,
  - another natural channel habitat structure,
  - stones or logs placed in the main river for habitat enhancement, or
  - a man-made structure on or in the main river.

## Design conditions

- The structure occupies no more than half the width of the cross-sectional area of the channel in the main river and no more than 20 metres of the length of the main river.
- No part of the structure is higher than 0.3 metres above the level of the river bed or 25% of the height of the bank (excluding any wall or embankment forming part of the bank), whichever is the greater.

- The structure is made from naturally occurring woody material and is securely fastened to the bed of the main river, the bank or both.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.
- That it is the owner's responsibility for inspecting and ensuring the structure is anchored securely for the duration that it is in the channel.

# Flood Risk activity exemption 16: Rafts for surveys

**Activity description:** The installation of rafts for survey.

**Types of activity you can carry out:** Installation of mink rafts.

**Types of activity you cannot carry out:** Mooring or access pontoons.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The raft is installed no less than 100 metres from any other raft.
- When the raft is installed, there are no more than four other rafts within a distance of one kilometre.
- The raft is not installed within 100 metres of any non-agricultural building in the floodplain or another man-made structure on or in the main river.

## Design conditions

- The raft has dimensions of no greater than 1.5 metres x 1 metre x 0.15 metres.
- Any equipment box used on the raft has a height of no more than 0.75 metres.
- The raft is permanently and securely attached to the bank.

## Time and manner conditions

- The raft is installed for no more than 12 months and removed immediately if, within that period, it is no longer required.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That it is the owner's responsibility for inspecting and ensuring the structure is anchored securely for the duration that it is in the channel.

# Flood Risk activity exemption 17: Gravel-cleaning for fish spawning beds

**Activity description:** Gravel cleaning for fish-spawning beds.

**Types of activity you can carry out:** Cleaning fish spawning areas.

**Types of activity you cannot carry out:** Any dredging within the channel.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 500m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The works do not occur in, or within 500 metres upstream of, a type of habitat included in a list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006 or by Welsh Ministers under section 42 of that Act.

## Design conditions

- The works are to no more than 20m<sup>2</sup> of gravel per location, with a gap of at least 30 metres between locations.
- The works do not adversely affect the banks or established bed of the main river.

## Time and manner conditions

- The works are only carried out in September or October in any year.
- The works are carried out using only hand tools or machinery carried and operated by one person.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 19: Eel pass devices

**Activity description:** Construction of eel pass devices on existing structures.

**Types of activity you can carry out:** Installing eel passage devices to existing structures.

## Types of activity you cannot carry out:

- Constructing new independent eel passage structures.
- Installing an 'eel flap' through existing tidal doors / flap valves.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The existing structure is not located on a tidal river.

## Design conditions

- The device is permanently and securely attached to the existing structure.
- The width of the device is no more than 5% of the width of the main river.
- The device does not extend upstream or downstream from the existing structure more than the lesser of:
  - 10 metres; or
  - the width of the channel measured between the top of each bank of the main river.



## Time and manner conditions

### Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 20: Fish passage notches

**Activity description:** Construction of fish passage notches on an existing impoundment.

**Types of activity you can carry out:** Installing a notch on an existing weir.

**Types of activity you cannot carry out:** Constructing new independent structures.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.

## Design conditions

- The construction does not affect the structural integrity of the existing impoundment.
- Construction of the notches does not change the water level in the main river by more than 20cm upstream or downstream from the existing structure.
- The existing impoundment is located on a main river with a width of no more than 5 metres measured between the top of each bank.
- The construction does not adversely affect the banks or established bed of the main river.
- The notch is no more than 0.6 metres in width.

## Time and manner conditions

### Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.

# Flood Risk activity exemption 25: Excavation of scrapes and shallow wetland features

**Activity description:** The excavation of scrapes and shallow wetland features in a floodplain.

**Types of activity you can carry out:** Excavating scrapes and shallow.

**Types of activity you cannot carry out:** Excavation of fish ponds.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.

## Design conditions

- The area of the excavation is no more than 0.1 hectare and takes place at least 100 metres from any other excavation in the floodplain.
- The excavation is no more than 500mm deep at any point.
- Where spoil from the excavation is spread on the floodplain, the spoil is spread to a depth of no more than 100mm.
- The excavation is at least 8 metres from any structure forming part of a flood defence and from the landward side of each bank of the main river.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.
- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 27: Bankside wildlife refuge structures

**Activity description:** Construction of bankside wildlife refuge structures.

**Types of activity you can carry out:** Creating bankside structures to provide shelter for wildlife.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.
- The structure is not located within 50 metres of another man-made structure on or in the main river.
- The structure is not located within 8 metres of a flood defence structure or river control works.

## Design conditions

- The length of bank excavated during construction of the structure is no more than 1.5 metres.
- The height of the structure is no more than 1.5 metres or no more than 75% of the height of the bank, whichever is less.
- The structure does not project beyond the line of the bank prior to the works being carried out.

## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.

- You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.
- The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.
- This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.

# Flood Risk activity exemption 28: Improvement works for tracks and paths

**Activity description:** Improvement works for tracks and paths.

**Types of activity you can carry out:** Improving and maintaining existing tracks and paths.

## Types of activity you cannot carry out:

- Constructing a new raised path.
- Improve a path on an existing flood defence structure alongside a main river.

## Key conditions

You should not do any more than this exemption allows otherwise you will not be exempt.

## Spatial conditions

- The activity is not carried out in or within 100m of a main river that is classified high morphological status.
- The activity is not carried out in or within a 200m radius to the following designation sites:
  - Special Protection Area (SPA);
  - Special Area of Conservation (SAC);
  - Ramsar site;
  - Sites of Special Scientific Interest (SSSI);
  - National nature reserve;
  - Local nature reserve.

## Design conditions

- The works are to an existing track or path.
- The works do not alter the route or width of the track or path.
- The works do not increase the level of the path by more than 100mm.

## Time and manner conditions

- The works do not disturb affect the bed or banks of any main river.
- When the works are completed all materials and debris are removed from the site.



## Other things you need to know

As well as registering this exemption, you may also need to comply with other legislation. This could include:

- Planning permission – contact your local planning authority to find out if you need to make an application.

You can use the [Flood Risk Map](#) on the Natural Resources Wales' website to check for the location of Main Rivers.

The [Wales Biodiversity Partnership](#) website is a useful source of information for the location of designated sites, and species and habitats on the Section 42 list.

This exemption does not cover any temporary works needed for construction. Before registering for this exemption, you should contact your local NRW office to discuss if a bespoke permit might be needed for any temporary works required during the construction phases of the project.

Before registering for this exemption, we advise you consider the following:

- The need for any temporary works to undertake this activity. If you need to use temporary works (including scaffolding and cofferdams) to undertake this activity, before registering, you should contact your local NRW office to discuss if a bespoke permit might be needed.
- That all excavated material not re-used on the site of the works should be removed from the banks and/or floodplain.
- The location of the existing track or path. If it is along raised flood defences alongside a main river, you should contact your local NRW office to discuss if a bespoke permit might be needed.