

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Portsmouth Water Limited

The removal of a 2.5m length of 450mm diameter cast iron culvert and associated groundworks on the Brockhampton Stream

National Grid Reference[s]: SU7115206195

Located on the Brockhampton Stream approximately 120m south of the Portsmouth Water Ltd. compound at West Street, Havant, PO9 1LG and approximately 420m south west from the bifurcation of the Brockhampton Stream from the Lavant Stream.

Permit number

EPR/PB3294JJ

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

Flood risk activity comprising of the removal of in-channel structures, namely the removal of a 2.5m length of 450mm diameter cast iron culvert and associated groundworks on the Brockhampton Stream.

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/PB3294JJ	Duly made 11 November 2020	Application for the removal of a 2.5m length of 450mm diameter cast iron culvert on the Brockhampton Stream
Permit determined EPR/PB3294JJ	14 January 2021	Permit issued to Portsmouth Water Limited

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/PB3294JJ

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

Portsmouth Water Limited ("the operator")

whose registered office is

Po Box No8

West Street

Havant

Hampshire

PO9 1LG

company registration number [02536455]

to operate the following flood risk activities:

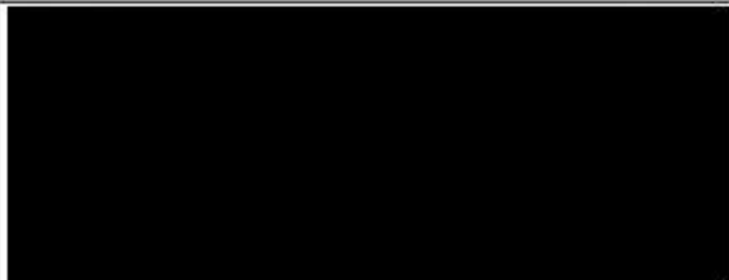
The removal of in-channel structures, namely the removal of a 2.5m length of 450mm diameter cast iron culvert and associated groundworks on the Brockhampton Stream.

at

the Brockhampton Stream approximately 120m south of the Portsmouth Water Ltd. compound at West Street, Havant, PO9 1LG and approximately 420m south west from the bifurcation of the Brockhampton Stream from the Lavant Stream.

National Grid Reference(s) SU7115206195

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

Name	Date
 Wesley Jones Partnership and Strategic Overview Team Leader East Hampshire and Isle of Wight – Solent and South Downs	14/01/2021

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 blue on the site plan at schedule 2 to this permit and showing National Grid Reference SU7115206195.

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 of 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 No vegetation clearance or site clearance shall be take place during nesting season (1 March-31 July inclusive each year).
- 2.3.5 No works shall take place until a fish screen (maximum 2mm mesh spacing) is installed on the pump or a fish friendly pump is used to prevent the entrapment, entrainment or impingement of fish and eel

(including elver) during over pumping. The fish/eel screen shall be maintained in accordance with the manufacturer's specifications and records kept of such maintenance available for inspection by the Environment Agency.

- 2.3.6 The fish rescue will be undertaken in line with the methodology provided by Pisces Conservation Ltd. dated 15 Dec 2020. Records of species caught to be provided to the Environment Agency within 1 month of capture.
- 2.3.7 Nothing shall be done or permitted to occur during the works which would materially reduce the capacity of the floodplain.
- 2.3.8 The operator shall sign up to receive flood warnings from the Environment Agency. Upon receipt of the warning the works shall cease and temporary works removed as directed by the Environment Agency. An emergency 24 hour contact has been supplied in case of any flood warnings: -
Portsmouth Water Operations Centre: 02392449091
- 2.3.9 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 The 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

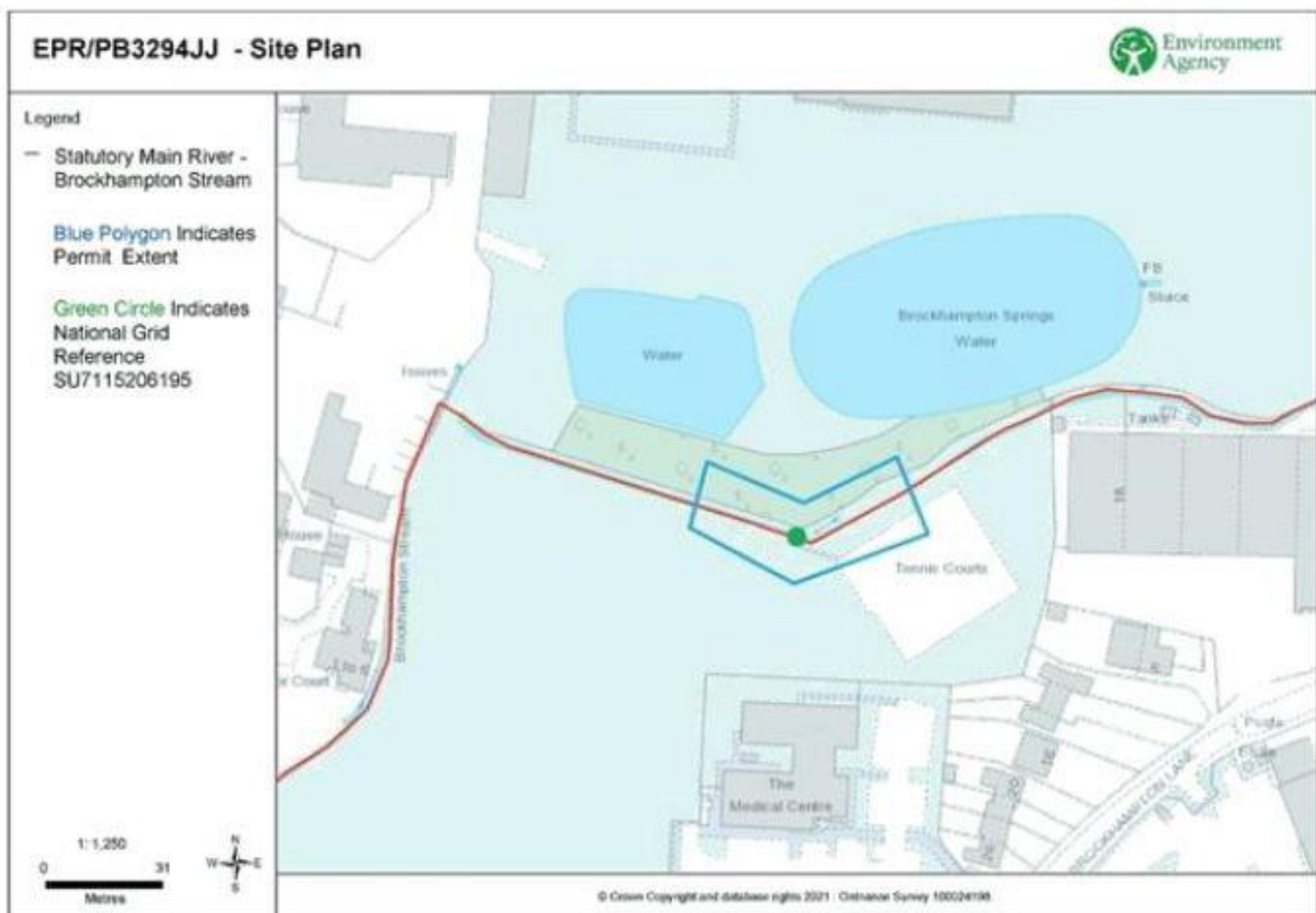
Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Permanent Works	
P1	The removal of in-channel structures, namely the removal of a 2.5m length of 450mm diameter cast iron culvert and associated groundworks on the Brockhampton Stream.	The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 4 months of commencement. The activities shall be carried out in accordance with the application form dated 04 November 2019 and Method Statement with Subject "Removal of 2.5m x 450mm Cast iron pipe work from stream and re-instate stream to natural habitat." Authored by Steve Brown and dated 06/09/2019. and Risk Assessment with Reference RA- 01 dated 01/10/2019 Authored by Steve Brown and Flood Risk Assessment titled "Flood Risk Assessment – Culvert Removal" report reference number 191920-07 and dated July 2020 authored by Ardent Consulting Engineers. and Plan and cross-sectional drawing titled "Proposed Flood Alleviation Works Plan and Details" with drawing number 191921-002 revision A and dated October 2020. and Plan and cross-sectional drawing titled "Proposed flood alleviation Earthworks" with drawing number 191921-003 revision A and dated October 2020. and Document titled "Schedule 5 Notice – Solent Road" presented by Simon Deacon. and Fish Rescue Plan titled "Method statement – electric fishing at Lavant stream, Havant" dated 15/12/2020 and produced by Pices Conservation Ltd. The activities shall only be carried out on the Brockhampton Stream main river.

Table S1.2 Operating techniques

Requirement	Measures (if measures are specified)	Document reference	Date Received
Condition 2.3.1	Approved Method of Work	Method Statement with Subject "Removal of 2.5m x 450mm Cast iron pipe work from stream and re-instate stream to natural habitat." Authored by Steve Brown and dated 06/09/2019.	04/11/2019
Condition 2.3.4	No vegetation clearance or site clearance shall be take place during nesting season (1 March-31 July inclusive each year).	Email with Reference: "EPR/PB3294JJ Confirmation of Conditions"	13/01/2021
Condition 2.3.5	No works shall take place until a fish screen (maximum 2mm mesh spacing) is installed on the pump or a fish friendly pump is used to prevent the entrapment, entrainment or impingement of fish and eel (including elver) during over pumping. The fish/eel screen shall be maintained in accordance with the manufacturer's specifications and records kept of such maintenance available for inspection by the Environment Agency.	Fish Rescue Plan titled "Method statement – electric fishing at Lavant stream, Havant" dated 15/12/2020 and produced by Pices Conservation Ltd. And Email with Reference: "EPR/PB3294JJ Confirmation of Conditions"	21/12/2020 13/01/2021
Condition 2.3.6	The fish rescue will be undertaken in line with the methodology provided by Pisces Conservation Ltd. dated 15 Dec 2020. Records of species caught to be provided to the Environment Agency within 1 month of capture.	Fish Rescue Plan titled "Method statement – electric fishing at Lavant stream, Havant" dated 15/12/2020 and produced by Pices Conservation Ltd. And Email with Reference: "EPR/PB3294JJ Confirmation of Conditions"	21/12/2020 13/01/2021
Condition 2.3.7	Nothing shall be done or permitted to occur during the works which would materially reduce the capacity of the floodplain.	Plan and cross-sectional drawing titled "Proposed flood alleviation Earthworks" with drawing number 191921-003 revision A and dated October 2020. And Email with Reference: "EPR/PB3294JJ Confirmation of Conditions" And Flood Risk Assessment titled "Flood Risk Assessment – Culvert Removal" report reference number 191920-07 and dated July 2020 authored by Ardent Consulting Engineers.	21/12/2020 13/01/2021 22/07/2020

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
Condition 2.3.8	The operator shall sign up to receive flood warnings from the Environment Agency. Upon receipt of the warning the works shall cease and temporary works removed as directed by the Environment Agency. An emergency 24 hour contact has been supplied in case of any flood warnings: - Portsmouth Water Operations Centre: 02392449091	Email with Reference: "EPR/PB3294JJ Confirmation of Conditions"	13/01/2021

Schedule 2 – Site Plan



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