

Scottish Environment Protection Agency

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The Water Environment (Controlled Activities) (Scotland) Regs 2011

- Certain activities in surface waters require authorisation
 - Any activity liable to cause pollution of the water environment i.e. discharges
 - Abstractions
 - Impoundments
 - Building/engineering works

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Drainage

- Only for “natural” watercourses i.e. not drainage ditches
- General Binding Rule

- Dredging a previously straightened river, burn or ditch <1m wide (GBR 5)

Registration

- Removal of sediment from individual and discrete areas of exposed sediments within length of river or burn not exceeding 1 km

License

- All other sediment management ≤3m wide and wetlands

GBR5: Dredging of previously straightened watercourses with an average width of less than 1m along the stretch to be worked.

Rules

- a) Vegetation may be removed from the banks only if the works cannot otherwise be reasonably carried out.
- b) Vegetation that is removed must not be disposed of into the channel.
- c) The activity must not result in the widening of the watercourse.
- d) All reasonable steps must be taken to prevent the transport of sediments beyond the worked stretch.

- e) Work must not be carried out when fish are likely to be spawning in the affected surface water, or in the period between spawning and the subsequent emergence of juvenile fish. (If in doubt about these times, you are advised to contact your local District Salmon Fishery Board or SNH for advice¹⁵.)
- f) All reasonable steps must be taken to avoid increased erosion of the banks and bed.
- g) The bed of the worked stretch must be graded at a shallow angle to tie in with the bed level upstream and downstream and there must be no steps or sudden changes in the angle of the bed slope.
- h) The removed sediment must not be left on the banks such that its placement heightens the banks

Diffuse Pollution

Individually minor sources of pollution, but collectively significant across a catchment;

A result of land use activities;

Heavily influenced by rainfall

SOURCE



PATHWAY



RECEPTOR

GBR9: Operating any vehicle, plant or equipment (machinery) when undertaking GBR activities 5, 6, 7, 8, 10, 12, 13 and 14.

- a) Machinery should only operate in water where it is impracticable for it to operate on dry land.
- b) Refuelling must take place at least 10m away from any surface water.
- c) Any static plant or equipment used within 10m of surface water must be positioned on a suitable drip tray with capacity for 110% of the fuel tank supplying the static plant or equipment.
- d) Machinery used in or near surface water must not leak any oil.

- e. Washing of any machinery must take place at least 10m away from any surface water and the washings must not be allowed to enter any surface water.
- f. Machinery must not be operated in rivers, burns and ditches when fish are likely to be spawning in the affected surface water, or in the period between spawning and the subsequent emergence of juvenile fish. If in doubt about these times, you are advised to contact your local District Salmon Fishery Board or Fishery Trusts¹⁷ for advice).
- g. Machinery must not be operated in rivers, burns and ditches if there is a reasonable likelihood that there are freshwater pearl mussels within 50m of such operation.
- h. Machinery must not be operated in rivers, burns and ditches during forestry operation

The Water Environment (Diffuse Pollution) (Scotland) Regulations 2008

- 7 General Binding Rules (GBR's) effective from April 2008.
- Primarily based on accepted standards of good practice e.g. PEPFAA, 4PPP, Forests & Water Guidelines.
- Establish statutory baseline which provide a general level of environmental protection.
- Rules focus on land & run off management.
- Covers all land use activities (farms & forestry)

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Diffuse Pollution General Binding Rules (DP GBRs) Introduced in 2008

Statutory requirements covering activities posing a risk to the water environment:

- **Storage and application of fertiliser (organic and inorganic)**
- **Keeping of livestock**
- **Cultivation and harvesting of crops**
- **Discharge of water run-off, via either a surface water drainage system or overland flow, to the water environment as a result of rural land use activities e.g. agriculture, forestry.**
- Construction and maintenance of waterbound roads and tracks.
- **The handling and use of pesticides**
- **Operating sheep dipping facilities**

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Storage & application of fertiliser (GBR18)

Storage of fertiliser is not permitted:

- within 10 metres of any ditch, surface water or wetland;
- within 50 metres of a spring, well or borehole used for supplying water for human consumption
- on waterlogged land;
- on thin soils



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Application of organic fertilisers (manure & slurry)

Applications are not permitted :

- within 10 metres of any drainage ditch, surface water or wetland;
- within 50 metres of any spring, well or borehole used to supply water for human consumption
- on steep gradients
- on thin soils
- where ground is frozen (except FYM), waterlogged or covered with snow.

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Application of inorganic fertilisers

- **Applications of inorganic fertiliser are not permitted:**

- within 2metres from any surface water or wetland
- within 5 metres from a spring, well or borehole used for supplying water for human consumption
- on thin soils
- on land frozen, waterlogged or covered with snow



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Storage & application of fertiliser cont'd...

- Fertiliser must not be applied to land in excess of the nutrient need of the crop (use of PLANET is advised)
- Equipment used to apply fertiliser shall be maintained
- Fertiliser shall be **applied in a way and at such times that risk of pollution to the water environment is minimised.**



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Keeping of livestock (GBR 19)

- **Significant erosion or poaching is not permitted** within 5 metres of surface water or wetlands.
- **Livestock shall not allowed to enter** within 5 metres of a spring, well or borehole that supplies water for human consumption
- *(c) livestock feeders must be positioned—*
 - *(i) so that run-off from areas around the feeders does not enter any river, burn, ditch, wetland, loch, transitional water or Coastal water;*
 - *and*
 - *(ii) in any case, no closer than 10 metres to any river, burn, ditch, wetland, loch, transitional water or coastal water.*



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HIGH RISK (SIGNIFICANT) – POACHING

WHAT TO LOOK FOR AT POACHING SITES

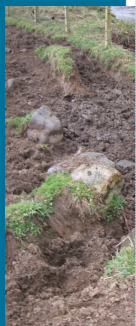
STEP CHANGE IN PROFILE

LIVESTOCK IMPACT ON THE WATERCOURSE

DAMAGE TO BED AND BANKS

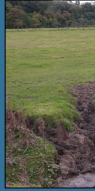
LACK OF GROUND VEGETATION

NO EVIDENCE OF RE-GROWTH



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Why does it happen?



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Cultivation of land (GBR 20)



- **Cultivation must not be carried out:**

- within 2 metres of any surface water or wetland
- within 5 metres of any spring, well or borehole that supplies water for human consumption borehole;
- on land that is waterlogged;
- **land shall be cultivated in a way that minimises the risk of pollution to the water environment**

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Examples of GBR 20 breaches



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Application of pesticides (GBR 23)

- spillages, runoff or washings from pesticide preparation area **must not be allowed enter the water environment;**
- pesticide spraying equipment shall be **maintained**
- pesticide sprayers shall not be filled with water taken from the water environment **UNLESS**
 - a device preventing back siphoning is fitted to the system; or
 - the water is first placed in an intermediate container.



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Application of pesticides (GBR 23)

Pesticide must be applied in accordance with the terms and instructions of the relevant product approval;

Pesticide must not be applied in, onto or over ground or allowed to drift onto or over ground (i) that is frozen, snow covered or waterlogged, except in prescribed circumstances

Application of pesticide must be carried out in such a way, and at such times, that the risk of pollution of any river, burn, ditch, wetland, loch, transitional water or coastal water is minimised and, in particular, pesticide must not be applied - (i) during rainfall; or (ii) during conditions when there is a risk that spray will drift or be blown outwith the target area; and

Pesticide, including any used packaging that has been stored in contact with pesticide, must not be stored— (i) within 10 metres of any river, burn, ditch, wetland, loch, transitional water or coastal water; (ii) within 50 metres of any spring that supplies water for human consumption; (iii) within 50 metres of any well or borehole unless the well or borehole is capped in such a way as to prevent the ingress of any pesticide; or (iv) on an impermeable surface draining to a surface water drainage system,

Operating sheep dipping facilities (GBR 24)



- Sheep dip facilities shall be emptied within 24hrs of dipping.

- Sheep shall be prevented access to the water environment immediately after dipping.
- No mobile dipper or newly constructed sheep dipping facility shall be located within 50 metres surface waters or springs wells or boreholes.
- Dippers must not leak or overspill.
- Dipping facilities shall not be filled with water taken direct from the water environment unless there is a device to stop back siphoning or an intermediate container

Visit farming and
waters Scotland for
more information on
tackling your diffuse
pollution issues

www.farmingandwaterscotland.org

SRUC
Scotland's Rural College

Study at SRUC | Research | SAC Consulting | Veterinary Services | Advice and Events | About SRUC

You are in: [Home](#) > [SAC Consulting](#) > [Farming & Water Scotland](#)

Farming & Water Scotland

Our website provides ideas, information and contacts to help you reduce diffuse pollution risks from your farm and benefit the farm business.

Reducing diffuse pollution risks can benefit your business in a number of ways, for example making better use of nutrients in slurry and manure or an improvement in livestock health through cleaner drinking water supplies.

It can also help you to stay on the right side of the Regulations and protect farm payments, whilst protecting surrounding water quality.

Further information and links.

- [Diffuse Pollution](#)
- [Soils & Nutrients](#)
- [Livestock](#)
- [Acids](#)
- [Scotland's Water](#)
- [PEPPAA Code](#)
- [Funding & Resources](#)
- [Know the Rules](#)
- [Visit Farming & Water Scotland](#)

Logos: The Scottish Government, SRUC, SEPA, dpmag, SEU Scotland.

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