

# Permit with introductory note

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

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**Cadent Gas Limited**

**Temporary dewatering of Back Drain (Main River)**

**Installation of a temporary culvert for use as access bridge in Back Drain (Main River)**

**Installation of a temporary footbridge at Back Drain (Main River)**

**Excavations within 8m and the floodplain of Back Drain (Main River)**

**Temporary storage within the floodplain of Back Drain (Main River)**

**Installation of service crossing beneath Back Drain (Main River)**

**National Grid Reference: SD2969778408**

**Ulverston canal towpath, Cumbria**

**Permit number**

EPR/SB3150LZ

# Introductory note

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

The main features of the permit are as follows.

Temporary dewatering of Back Drain (Main River)

Installation of a temporary culvert for use as access bridge in Back Drain (Main River)

Installation of a temporary footbridge at Back Drain (Main River)

Excavations within 8m and the floodplain of Back Drain (Main River)

Temporary storage within the floodplain of Back Drain (Main River)

Installation of service crossing beneath Back Drain (Main River)

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.

<b>Status log of the permit</b>		
<b>Description</b>	<b>Date</b>	<b>Comments</b>
Application EPR/SB3150LZ	Duly made 12/03/2021	Application for associated works with the diversion of a gas pipeline.
Additional information received	26/04/2021	Updated Method of Work received in response to schedule 5.
Additional information received	07/05/2021	Confirmation of use of Environmental Constraints Report.
Additional information received	10/05/2021	Updated Method of Work received to add electro-fish rescue.
Permit determined EPR/SB3150LZ	10/05/2021	Permit issued to Cadent Gas Limited.

End of introductory note

# Permit

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

### Permit number

**EPR/SB3150LZ**

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

**Cadent Gas Limited** (“the operator”)

whose registered office is

**Ashbrook Court Prologis Park**

**Central Boulevard**

**Coventry**

**CV7 8PE**

company registration number 10080864

to operate the following flood risk activities:

Temporary dewatering of Back Drain (Main River)

Installation of a temporary culvert for use as access bridge in Back Drain (Main River)

Installation of a temporary footbridge at Back Drain (Main River)

Excavations within 8m and the floodplain of Back Drain (Main River)

Temporary storage within the floodplain of Back Drain (Main River)

Installation of service crossing beneath Back Drain (Main River)

at

Ulverston canal towpath, Cumbria

**National Grid Reference: SD2969778408**

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

Name	Date
<b>Peter Miles</b> <b>Partnership &amp; Strategic Overview Team Leader</b> <b>Cumbria &amp; Lancashire</b>	<b>10/05/2021</b>

**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: SD2969778408.

### 2.3 Operating techniques

- 2.3.1 The operator shall use appropriate measures, including but not limited to those in the 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 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

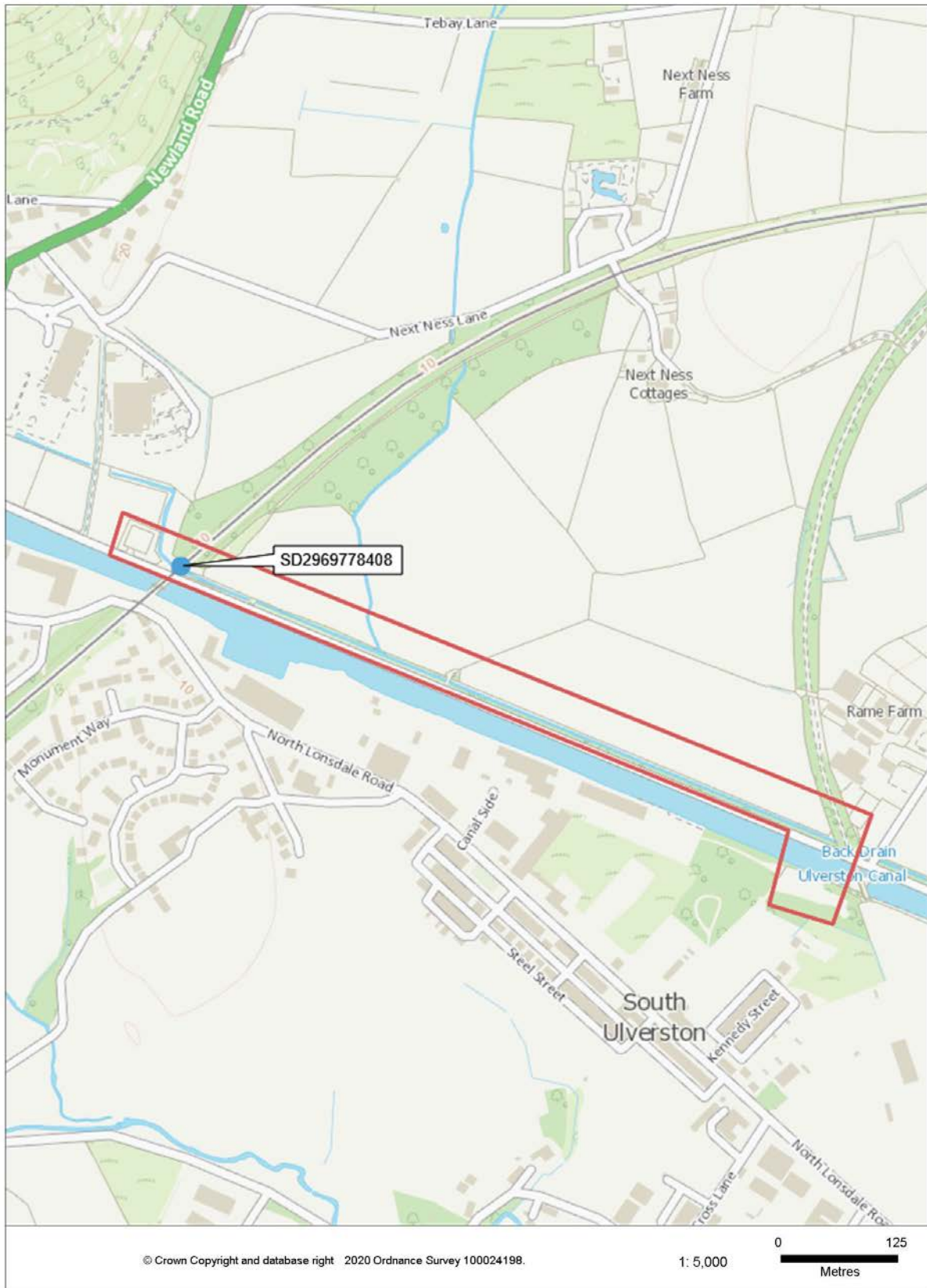
Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
<b>Permanent Works</b>		
P1	Excavations within 8m and the floodplain of Back Drain (Main River)	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 8 months of commencement.</p> <p>The activity shall be carried out in accordance with:</p> <ul style="list-style-type: none"> <li>• Drawing number: 1359-ULVE-ME-P-002, rev 1, date 12/01/2021</li> <li>• Drawing number: 1359-ULVE-ME-P-003, rev 3, date 13/02/2021</li> </ul> <p>No in-river to take place between 1<sup>st</sup> October and 31<sup>st</sup> May inclusively.</p>
P2	Installation of service crossing beneath Back Drain (Main River)	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 8 months of commencement.</p> <p>The activity shall be carried out in accordance with:</p> <ul style="list-style-type: none"> <li>• Drawing number: 1359-ULVE-ME-P-002, rev 1, date 12/01/2021</li> <li>• Drawing number: 1359-ULVE-ME-P-003, rev 3, date 13/02/2021</li> <li>• Drawing number: 1359-ULVE-ME-P-004, rev 1, date 13/02/2021</li> </ul> <p>No in-river to take place between 1<sup>st</sup> October and 31<sup>st</sup> May inclusively.</p>
<b>Temporary or enabling works</b>		
T1	Temporary dewatering of Back Drain (Main River)	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 8 months of commencement.</p> <p>The activity shall be carried out in accordance with:</p> <ul style="list-style-type: none"> <li>• Drawing number: 1359-ULVE-CI-C-001, rev 0, date 02/03/2021</li> <li>• Drawing number: 1359-ULVE-CO-C-002, rev 0, date 18/01/2021</li> <li>• Drawing number: 1359-ULVE-CI-C-004, rev 1, date 17/02/2021</li> </ul>

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
		No in-river to take place between 1 <sup>st</sup> October and 31 <sup>st</sup> May inclusively.
T2	Installation of a temporary culvert for use as access bridge in Back Drain (Main River)	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 8 months of commencement.</p> <p>The activity shall be carried out in accordance with:</p> <ul style="list-style-type: none"> <li>• Drawing number: 1359-ULVE-CI-C-001, rev 0, date 02/03/2021</li> <li>• Drawing number: 1359-ULVE-CO-C-002, rev 0, date 18/01/2021</li> <li>• Drawing number: 1359-ULVE-CI-C-004, rev 1, date 17/02/2021</li> </ul> <p>No in-river to take place between 1<sup>st</sup> October and 31<sup>st</sup> May inclusively.</p>
T3	Installation of a temporary footbridge at Back Drain (Main River)	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 8 months of commencement.</p> <p>The bridge deck shall be no wider than 1.5 metres.</p> <p>Any parapet of the footbridge shall be of open construction comprising either post and rail, post and wire mesh fencing of at least 100mm spacing, or post and wire strands.</p> <p>The soffit shall be at least 0.25 metres higher than the top of the bank on both sides of the river.</p> <p>No in-river to take place between 1<sup>st</sup> October and 31<sup>st</sup> May inclusively.</p>
T4	Temporary storage within the floodplain of Back Drain (Main River)	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 8 months of commencement.</p> <p>The activity shall be carried out in accordance with:</p> <ul style="list-style-type: none"> <li>• Drawing number 1359-ULVE-ME-X-012, rev 2, date 02/03/2021</li> </ul> <p>No in-river to take place between 1<sup>st</sup> October and 31<sup>st</sup> May inclusively.</p>



<b>Table S1.2 Operating techniques</b>			
<b>Requirement</b>	<b>Measures (if measures are specified)</b>	<b>Document reference</b>	<b>Date Received</b>
Condition 2.3.1	Silt control: <ul style="list-style-type: none"> <li>• Use of silt fencing, booms, straw bales and silt socks.</li> </ul>	Cadent, Ulverston FRAP Method Statement, version 0.4, date 10/05/2021	10/05/2021
Condition 2.3.1	Minimise environmental harm: <ul style="list-style-type: none"> <li>• Surveys</li> <li>• Pre-works checks</li> <li>• ECoW presence</li> </ul>	Jacobs, Ulverston Gas Pipeline Diversion, Environmental Constraints Report, Document number B23333822 A.PN.EV.A.04 – ENV001, rev 0, dated 07/10/2020  Cadent Ulverston FRAP Method Statement, version 0.4, date 10/05/2021	07/05/2021  10/05/2021
Condition 2.3.2	Pollution prevention: <ul style="list-style-type: none"> <li>• Spill kits and booms</li> </ul>	Cadent, Ulverston FRAP Method Statement, version 0.4, date 10/05/2021	10/05/2021
Condition 2.3.3	Biosecurity: <ul style="list-style-type: none"> <li>• Management plan</li> </ul>	Cadent, Ulverston FRAP Method Statement, version 0.4, date 10/05/2021	10/05/2021
Condition 2.3.4	Protection of fish: <ul style="list-style-type: none"> <li>• Electro-fish rescue</li> </ul>	Cadent, Ulverston FRAP Method Statement, version 0.4, date 10/05/2021	10/05/2021

# 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.

“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