

Statutory Notice

The Eels (England and Wales) Regulations 2009 Regulation 17(5)(a)

EEL SCREEN EXEMPTION NOTICE

To: The Company Secretary
RWE Generation UK plc
Windmill Hill Business Park
Whitehall Way
Swindon
Wiltshire
SN5 6PB

Under Regulation 17(4) of the Eels (England and Wales) Regulations 2009, on or after 01 January 2015, a responsible person must ensure an eel screen is placed in a diversion structure that:

1. Is capable of abstracting at least 20 cubic metres of water through any one point in any 24 hour period; or
2. Returns water to a channel, bed or sea.

This notice exempts you, as the responsible person, from the requirement to place an eel screen at Aberthaw Power Station cooling water intake (National Grid Reference ST 02053 65003) subject to the conditions set out in Schedule 1 to this notice. The reason for this exemption is:

This diversion structure will be screened to best practice, or agreed alternative eel protection measures implemented, by 31 December 2019 as part of an agreed programme of works.

This exemption takes effect on 1 January 2019 and expires on 31 December 2025¹.

21/12/2018

Date:



Signed:

Rhianon Bevan
Conservation & Technical Fisheries Team Leader

Natural Resources Wales
Rivers House
St. Mellons Business Park
Cardiff
CF3 0EY

Legislation note

In this document “Natural Resources Wales” means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. On 01 April 2013 the Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

¹The predicted cessation of generation or decommissioning start date for the station used in the cost benefit analysis for best practice screening assessment.

SCHEDULE 1: CONDITIONS

The following actions are to be completed within the River Thaw catchment:

1. Lower Tregoff Brook. NGR ST 02246 70816 to ST 02154 70405

Installation of 1770m of stock proof fencing (both banks) between the above NGR's.

Installation of 1 x 12ft field gates in this fencing to allow vegetation management.

Removal of 2 concrete pipe culverts.

Installation of a bridge over the Tregoff Brook (wood lintel with wooden sleepers) to replace the current cattle crossing at NGR ST 02154 70405. This will allow stock to move fields without entering the Brook.

Installation of instream habitat features: 4 x low level timber notch weirs from wood harvested on site.

Improvement of the notch in the small weir under the railway crossing to aid eel migration upstream.

2. Upper Tregoff Brook section. NGR ST02952 71018 down to ST02276 70839.

Installation of 1269m of stock proof fencing (both banks) between the above NGR's.

Installation of 1 x 12ft field gates in this fencing to allow vegetation management.

3. Flemingston and Llanbydderi Moors. NGR ST01758 71642 to ST02983 69708.

Installation of 3456m of stock proof fencing between the above NGR's. 822m of this to be single bank fence (landowner agreement not secured on far bank).

Installation of 3 x 12ft field gate in this fencing to allow vegetation management.

Installation of 1 x solar powered pasture pump in lieu of cattle accessing the river to drink from the left bank.

Installation of 2 x stock drinking bays to allow access but restrict stock movement in river.

Installation of 9 x water troughs with pipe work to provide stock watering in lieu of access to the river due to the fencing.

END of Notice