

**Jack Allport
Alun Griffiths Contractors
Waterways House,
Merthyr Road,
Llanfoist
Abergavenny
Monmouthshire
NP7 9PE**

Our ref: FRA/SW/2020/0009

Date: 7th April 2020

Your new Flood Risk Activity Permit

Permit reference: **FRA/SW/2020/0009**
Scheme: **Scaffolding to enable refurbishment works to be carried out on existing bridge**
Location: **Pont yr Odyn Bridge, Near Glanrafon Terrace, Aberystwyth SN 58394 81185**

Our determination of your application for a permit is complete. We're satisfied that you can carry out your activities in accordance with the enclosed permit.

Rights of appeal

If you're not happy with any permit condition that has been imposed by the permit you may appeal to Welsh Ministers. You must make your appeal no later than six months after the permit issue date. Further information about making an appeal and the forms you will need are available from the Planning Inspectorate website or from the contact details below.

The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.

Phone: 029 2082 3866 / 389, **Fax:** 029 2082 5150 **Email:** wales@pins.gsi.gov.uk

You must send written notice of the appeal and the documents listed below to the Welsh Ministers to the respective Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to

Development and Flood Risk Team, Llys Afon, Hawthorn Rise, Haverfordwest, Pembrokeshire SA61 2BQ Phone: 0300 065 3558

The documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Welsh Ministers in writing and sending a copy of that notification to us.

If you have any questions about this permit, please phone **Daniel Jones on 0300 065 3558**.

Yours faithfully,



Tom Lewis
Team Leader – Development and Flood Risk Team

Other Information

Pollution Prevention

You are reminded that it is an offence under Regulation 38(1)(a) [referring back to Regulation 12(1)] of the Environmental Permitting (England and Wales) Regulations 2016 to cause or knowingly permit a water discharge activity or groundwater activity except under and to the extent authorised by an environmental permit. Care must be taken to ensure that neither the watercourse nor groundwater become polluted, particularly by, for example diesel fuel, petrol and oil from machinery. All fuels, oils and chemicals must be stored securely and any large containers left on site must be bunded. Care should also be taken when filling machinery to ensure that diesel/petrol/oil is not spilt on the ground as this could lead to pollution of the watercourse or groundwater by migration or direct run off. Spillage's must not be washed away, but absorbed by some medium and then removed from site to a suitable licensed waste facility. Any such incidents must be reported to Natural Resources Wales immediately (Emergency Tel No 0800 807060).

Otters

Otters are known to frequent all river catchments in South Wales so all work in or adjacent to watercourses should be restricted to daylight hours only in order to avoid disturbance of this protected species. If any dense vegetation or major root systems in close proximity to a waterbody are to be disturbed, the site must be checked by a suitably qualified ecologist for signs of otters prior to commencement of works.

If otter signs are found to be present, further advice must be sought from NRW and a licence may be required. Otters are fully protected under the Wildlife and Countryside AOT 1981 and the Conservation of Habitats and Species Regulations 2010.

Vegetation

Trees and vegetation should not be removed unless strictly necessary and any damage should be minimised. Consideration should be given to protecting mature trees and defining no go areas if there is a risk from machinery. Trimming and coppicing of trees is preferable to removal. As much scrub vegetation as possible should be retained on riverbanks as this provides valuable otter habitat.

Any bankside trees or vegetation damaged or removed during the works should be replaced with native species of local provenance appropriate to the local habitat.

Breeding Birds

Tree and shrub felling should take place outside the breeding bird period (breeding season will vary between species, but in general should be taken to be from the beginning of February to the end of August). Vegetation removal within the breeding season will require a survey for nesting birds and nesting sites will need to be afforded appropriate protection. The best time for vegetation removal is between October and end of January. Breeding birds are protected under the Wildlife and Countryside Act 1981.

Bats

Trees that are to be trim med/coppiced/removed, and structures that are to be altered/demolished/improved should be inspected for use by bats by a licensed bat ecologist prior to any works being carried out, since bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by CRoW Act 2000) and the Conservation of Habitats and Species Regulations 2010.

Invasive Species

The site may contain the invasive plant Japanese knotweed and/or Himalayan balsam, the spread of which is prohibited under the Wildlife and Countryside Act 1981 (as amended). Care should be taken to prevent the spread of any parts of these plants, including seeds, during any operations relating to this proposal. Any soil brought on to the site should be free of the seeds/roots/stem of Japanese Knotweed or any other non-native invasive species. Failure to appropriately dispose of any material containing Japanese knotweed may lead to prosecution under Sections 33 and 34 of the E P A 1990 and Section 14 of the Wildlife & Countryside Act 1981 (as amended). Further advice is available from the Biodiversity Officer.

Environmental Management

Silt mitigation measures must be in place for any works that require entering the watercourse or excavating any areas of the riverbank. GPP 5: Works and maintenance in or near water must be adhered too.

The above information must be brought to the attention of your contractor.

This Permit does not free you from the need to obtain other licences, consents, approvals (including bye-law consents) or permissions (including planning permission) which may be required in law, or to comply with any duties or responsibilities for conservation or protection of the environment. In addition, you should ensure that you obtain the prior permission of any owners or occupiers of land if necessary. This Permit does not confer any rights of entry or rights over property.

Natural Resources Wales does not accept any responsibility for the design and construction of the works referred hereto and any liability for any loss or damage which may arise out of their design, construction, maintenance or use.

Prior to the commencement of the works, you are advised to contact the Local Authority Planning Department to check whether planning permission is required.

Any future remedial work necessary, as a result of the Applicant's proposals, shall be undertaken at the Applicant's expense and carried out to Natural Resources Wales satisfaction.

Flood Risk Activity Permit with introductory note

The Environmental Permitting (England & Wales) Regulations
2016

Permit Holder name

Alun Griffiths Contractors

Scheme Name/Location

Pont yr Odyn Bridge, Near
Glanrafon Terrace,
Aberystwyth

SN 58394 81185

Scaffolding to enable
refurbishment works to be
carried out on existing bridge

Permit number

FRA/SW/2020/0009

**Pont yr Odyn Bridge,
Near Glanrafon Terrace,
Aberystwyth
SN 58394 81185**

**Permit Number
FRA/SW/2020/0009**

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

Scaffolding to enable refurbishment works to be carried out on existing bridge

The status log of the permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application FRA/SW/2020/0009	Duly made 25/02/2020	<i>Scaffolding to enable refurbishment works to be carried out on existing bridge</i>
		<i>Activity A) Erecting any structure (whether temporary or permanent) in, over or under a main river.</i>
Permit determined	07/04/2020	Permit issued to Applicant

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

FRA/SW/2020/0009

The Natural Resources Body for Wales ("Natural Resources Wales") hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

Alun Griffiths Contractors ("the permit holder"),

whose registered office is

Waterways House,

Merthyr Road,

Llanfoist

Abergavenny

Monmouthshire

NP7 9PE

to carry out [a] flood risk activity[ies] at

Watercourse: **River Rheidol**

Location: **Pont yr Odyn Bridge, Near Glanrafon Terrace, Aberystwyth,**

Map reference: **SN 58394 81185**

As detailed on plans and sections:

8171/JMS/NC RAMS Pont yr Odyn Cycle Bridge

CA22 COSHH Assessment

D/20/3118/100 Proposed Access Scaffold plan

ED3495 Site Clearance Plan

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

Name

Date

	07/04/2020
Tom Lewis Team Leader, Development and Flood Risk	

Authorised on behalf of Natural Resources Wales

Conditions

1 Management

1.1 General management

- 1.1.1 The permit holder shall manage, undertake and operate (where appropriate) the activities specified in the permit on page 3.
- 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.
- 1.1.4 All reasonable care will be taken to ensure that the watercourse is kept free of foreign matter and floating debris during the construction period and on completion.
- 1.1.5 Works will be carried out in such a way as to ensure minimum obstruction to flows in the watercourse at all times.
- 1.1.6 These works will be carried out in such a way as to minimise disturbance to the existing banks and bed of the watercourse.
- 1.1.7 On completion of the works all debris and surplus material shall be removed from the banks of the watercourse.
- 1.1.8 The integrity of any flood defence infrastructure that may be affected by the works must be maintained at all times.

2 Operations

2.1 Permitted activities

- 2.1.1 The only activity authorised by the permit is the activity specified on page 3.

2.2 The site

- 2.2.1 The flood risk activity shall take place at the point marked on the site plan at schedule 1 to this permit, and as listed in the permit on page 3.

2.3 Timing

- 2.3.1 At least 1 working day prior written notice of commencement of the works and notification of completion must be given to Natural Resources Wales.
- 2.3.2 On completion of the activity as listed in the permit on page 3, documentation evidencing the activity must be sent to Natural Resources Wales within 1 month of completion. This must include photographic evidence of the activity
- 2.3.3 There shall be no in river works during 15th October to 15th April each given year.

2.4 Surrender

2.4.1 This permit will be surrendered by notification.

3 Notifications and interpretation

3.1 Notifications

3.1.1 Natural Resources Wales shall be notified as soon as reasonably practicable following detection, within the site of:

- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance causing or may cause significant pollution; and
- (b) any other significant adverse effects on the environment or flood risk, which may have been caused by the activity, shall also be notified to Natural Resources Wales as soon as reasonably practicable following detection.

3.1.2 Natural Resources Wales 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 permit holder is a registered company:

- (a) any change in the permit holder's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the permit holder going into administration, entering into a company voluntary arrangement or being wound up.

Where the permit holder is a corporate body other than a registered company:

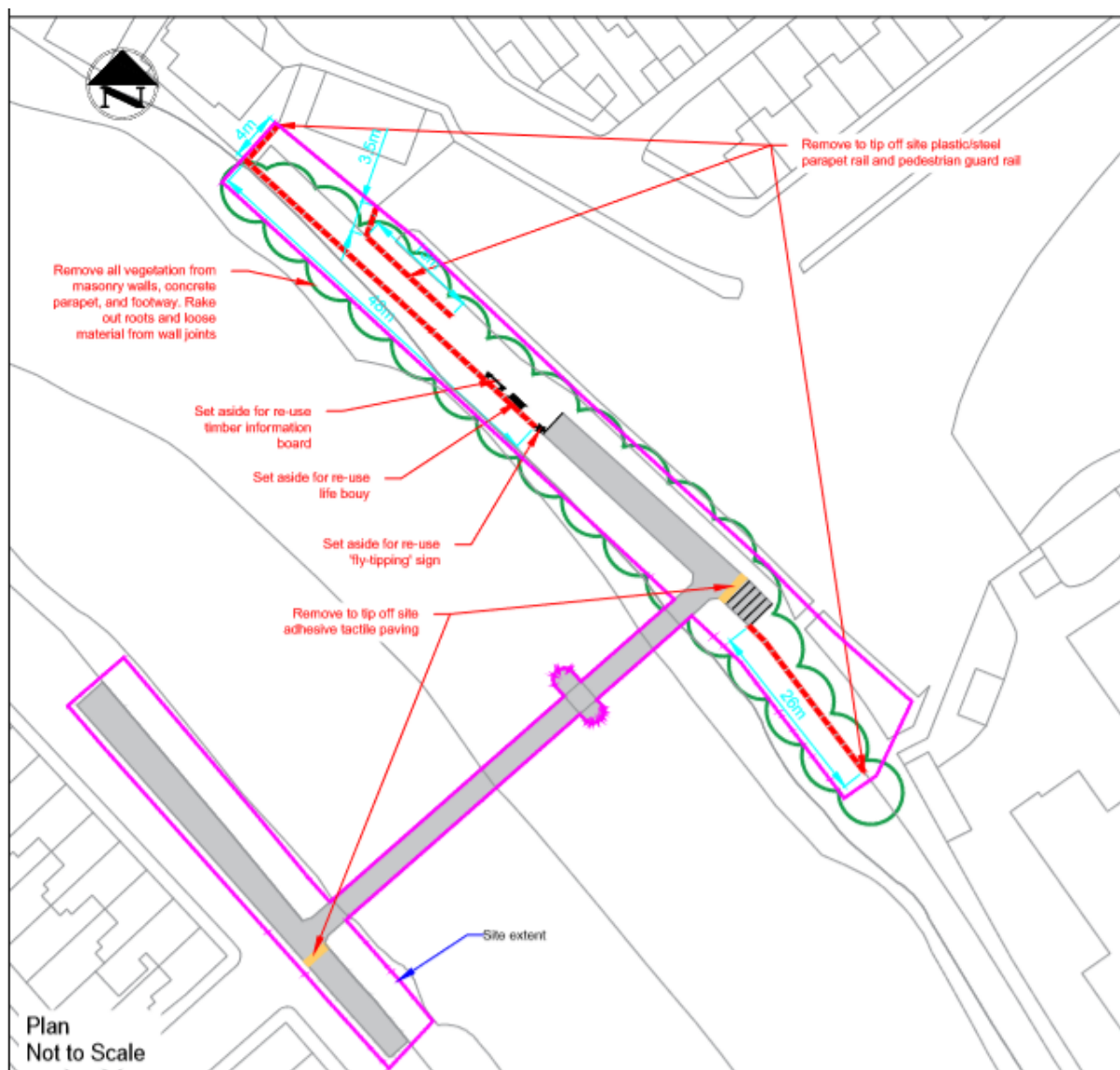
- (a) any change in the permit holder's name or address; and
- (b) any steps taken with a view to the dissolution of the permit holder.

3.1.3 For the activity as listed in the permit on page 3 Where the permit holder proposes to make a change in the nature of the activity that could have an adverse effect on the environment or flood risk, the permit holder should contact Natural Resources Wales and if necessary apply for a variation of the permit.

3.2 Interpretation

- (a) In this permit the expressions used shall have the meaning given in Schedule 2.

Schedule 1 – Site Plan



Schedule 2 - Interpretation

“activity” means a flood risk activity and includes:

- Erecting any structure (whether temporary or permanent) in, over or under a main river.
- The carrying out of any work of alteration or repair on any structure (whether temporary or permanent) in, over or under a main river if the work is likely to affect the flow of water in the main river or to impact on any drainage work.
- Erecting or altering any structure (whether temporary or permanent) designed to contain or divert the floodwaters of any part of a main river.
- Any dredging, raising or taking of any sand, silt, ballast, clay, gravel or other materials from or off the bed or banks of a main river (or causing such materials to be dredged, raised or taken), including hydrodynamic dredging and desilting.
- Any activity which is likely to divert the direction of the flow of water into or out of a main river or alter the level of water in a main river.
- Any activity within 8 metres of a non-tidal main river (or within 8 metres of any flood defence structure or culvert on that river) or any activity within 16 metres of a tidal main river (or within 16 metres of any flood defence structure or culvert on that river) which is likely to:
 - cause damage to or endanger the stability of the banks of that river or of any culvert;
 - cause damage to any river control works;
 - alter, reconstruct, discontinue or remove any river control works;
 - divert or obstruct flood waters or impact on the drainage of that river; or
 - interfere with Natural Resources Wales’ access to and along that river.
- Any activity (other than an allowed activity (see below for definition)) on a flood plain that is:
 - more than 8 metres from a non-tidal main river or more than 16 metres from a tidal main river; or
 - more than 8 metres from any flood defence structure or culvert on a non-tidal main river or more than 16 metres from any flood defence structure or culvert on a tidal main river, which is likely to divert or obstruct floodwaters, to damage any river control works or to impact on drainage.
- Any activity within 16 metres of the base of a sea defence which is likely to:
 - endanger the stability of, cause damage to or reduce the effectiveness of that sea defence; or
 - interfere with Natural Resources Wales’ access to and along that sea defence.
- Any activity within 8 metres of the base of a remote defence which is likely to
 - endanger the stability of, cause damage to or reduce the effectiveness of that defence, or
 - interfere with Natural Resources Wales’ access to and along that defence.
- Any quarrying or excavation within 16 metres of the base of a remote defence which is likely to cause damage to or endanger the stability of that defence.
- Any quarrying or excavation within 16 metres of a main river or any flood defence structure or culvert on that river which is likely to cause damage to or endanger the stability of the banks of that river.

"annually" means once every year.

“application” means the application for this permit, together with any additional information supplied by the permit holder as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“Natural Resources Wales” means the Natural Resources Body for Wales established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. 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.

“bank” means any bank, berm, wall or embankment that adjoins or confines any main watercourse and includes the side of the bank that stretches down to the mean low-water mark (in the case of a watercourse in which tidal waters flow) or to the bed of the watercourse (in any other case).

In the case of a watercourse in which tidal waters flow, the bank includes any wall or embankment constructed or maintained by the regulator in the sea or an estuary for the purposes of or in connection with a river.

“Permit holder” means the person who has been granted a permit to undertake a regulated activity.

“watercourse” means a main river which is a watercourse shown as such on a main river map and includes any structure or appliance for controlling or regulating the flow of water into, in or out of the channel which:

- a) is a structure or appliance situated in the channel or in any part of the banks of the channel;
and
- b) is not a structure or appliance vested in or controlled by an internal drainage board.

“year” means calendar year ending 31 December.

END OF PERMIT