

**WAT-G-016**

**EASR Guidance:**

Version 1.0, August 2025

**Registration Activity:**

**In-loch structures with a total area of 50 square metres or less**

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# Purpose

This document provides information and guidance for anyone installing an in-loch structure which requires a registration, under The Environmental Authorisations (Scotland) Regulations.

This guidance does not cover any other permissions that may be required.

# What activity does this guidance apply to?

This guidance applies to engineering activities granted as a registration under the Environmental Authorisations (Scotland) Regulation 2018 for:

The installation of in-loch structures with a total area of less than or equal to 50 square metres.

# Understanding the activity

This registration activity covers any single in-loch structure (excluding temporary structures, bridge piers or impounding works) with a total area of less than or equal to 50 square metres.

This registration includes the in-loch structure activity and all associated construction works, such as access tracks, temporary works, crossings and structures.

If the proposed structure occupies more than 50 square metres or you cannot comply with the standard conditions you should apply for a permit activity under ‘All other instream or in-loch structures or all other boulder placements not otherwise described’

**An in-loch structure (for this In-loch structure Registration activity)** is any structure that occupies a portion of the bed of the loch including bed reinforcement, jetties, platforms, marinas, croys, groynes and other flow deflectors, but excluding land gain, temporary structures, bridge piers and impounding works and boulder placements.

Note that outfalls that extend no more than 20 metres along the loch are authorised by Water General Binding Rule (GBR) 6 and do not fall into this registration activity.

Bank works necessary for installing the in-loch structure, can be carried out under this registration provided the total cumulative length is no more than 20 metres in length.

# Key parts of a loch

Key parts of a loch are shown in Figure 1 and explained in the [Glossary](#_Glossary)



**Figure 1: Key parts of a loch**

# Understanding and minimising risks to the water environment

Carrying out this activity and any associated construction works can cause harm to the water environment. It is important to carefully consider your design and construction options to ensure risks to the water environment and other users are minimised and that you fully comply with your standard conditions.

Good practice should be followed in undertaking this activity to ensure environmental harm is minimised, design is sustainable long-term and maintenance requirements are low. To achieve good practice, you should minimise the footprint of the activity and should consider the natural character and processes of the area you are working.

Further information on in-loch structures and sustainable design can be found in WAT-G-025 EASR Guidance: Engineering: Activity Guide Instream and In-Loch Structures.

## Risks to the Water Environment

The main risks to the water environment from carrying out this activity can be grouped as follows:

* **Harm to fish**
	+ Including impacts on fish migration, spawning and fry development, loss of habitat and direct impacts such as stranding or physical damage. For more information see WAT-G-032 EASR Guidance: Fish Protection.
* **Physical Impacts & Pollution**
	+ Physical impacts to the bed and banks of the watercourse which can lead to instability resulting in increased erosion or deposition, loss of habitats and increased flood risk.
	+ Pollution from sedimentation, leaking oil from machinery and the entry of potentially polluting materials into water such as unset concrete.

Further information on construction works and mitigation can be found in WAT-G-034 EASR Guidance: Construction works and silt/pollution mitigation.

* **Habitats and Species Protection**
	+ Spread of invasive non-native species. Further guidance can be found in EASR-G-001 EASR Guidance: Invasive non-native species (INNS)
	+ Impacts on species such as freshwater pearl mussels and otter. You should contact NatureScot where your activity is in a [Protected area](#_Glossary) or may impact protected species. For further information see WAT-G-008 EASR Guidance: Assessment of impact on Protected areas from inland water activities.
* **Impacts to other users of the water environment.**

All the risks to the water environment detailed above will vary according to:

* The type and design of the engineering activity
* The timing of the works.
* The working methods and mitigation.
* tThe reinstatement methods.

To minimise risks to the water environment and to help you comply with the standard conditions for this activity, you should follow the Do’s and Don’ts below.

## Do’s and Don’ts

### Activity specific

* Do keep the length and height of in loch structures (especially groynes and other flow deflectors) to the absolute minimum necessary to reduce impacts to the longshore movement of sediment.

### General working in or near water do’s and don’ts

**Preventing Harm to Fish**

* Don’t undertake works if fish are likely to be spawning or young fish are still to emerge. In general, avoid the period between 1 October to 31 May. You should check the exact times with your local fishery board. Details are available from [Fisheries Management Scotland](https://fms.scot/#:~:text=Fisheries%20Management%20Scotland%20is%20the%20representative%20body%20for%20Scotland's%20District).
* Don’t impact fish migration.
* Do make sure all works such as temporary crossings, channel isolation or diversions, blasting, vibration or pile driving, sheet pilling or using artificial lighting at night so that fish or migrating fish are not adversely affected.
* Do carry out fish rescues, where appropriate etc.

**Preventing/ minimising physical and pollution Impacts**

* Do install and maintain suitable mitigation before, after and during the works. Including the points below.
* Do minimise the extent, location and duration of works in the wetted part of the channel or loch.
* Do keep vehicles, plant and other equipment out of water wherever possible.
* Do create and maintain a robust and secure dry working area of minimum size, where possible.
* Do minimise disturbance and reinstate banks, bed and vegetation as soon as possible.
	+ Minimise vegetation removal and the area of bare earth/ exposed soil.
	+ Re-seed or turf disturbed soil with native vegetation and ideally cover with biodegradable matting to provide temporary protection until vegetation is fully established.
* Don’t cause significant erosion.
* Do store all fuel, machinery and vehicles at least 10 metres from any watercourse, loch or permeable drain.
* Do have oil spill kits, drip trays and bunds on site and available to operators.
* Do prevent any pollutants entering the water environment.

**Habitats and Species Protection**

* Don’t spread invasive non-native species.
* Check the banks and in water for invasive species.
* Use biosecurity measures.
* Do check what other species and habitats may be affected (e.g. otter).
* Don’t harm freshwater pearl mussels.

 **Other Water Users**

* Do consider the potential impacts on other water users e.g. water supplies, fishing, kayaking etc.

# Glossary

Terms used in this guidance and supporting diagrams are explained below:

**Bank** is the side of a watercourse or loch between and including the bank toe and bank top.

**Bank Height** is the height of the bank of a watercourse or loch measured vertically from the bank toe to the bank top, including any artificial heightening of the bank (e.g. embankments, retaining walls).

**Bank Toe** is the lowest point on the bank of a watercourse or loch, where the bank meets the bed of the watercourse or loch.

**Bank Top** is the first major break in slope in the bank or any watercourse or loch.

* This is considered the point beyond which cultivation or development is normally possible. Where there is no clear break in slope the bank top is considered to be the height of the average annual flood level in a watercourse,
* In relation to lochs where there is no clearly definable bank zone the bank top is the line along which terrestrial vegetation is present (this often equates to the average high-water level in a loch).

**Bank works** are any works on the bank between and including the bank top and the bank toe.

**Beach** is lower part of the bank of a loch (note in some cases the beach may form all of the bank)

**Bed of loch** is the base of the loch extending from the deepest part of the loch to the edge of the ‘normal’ loch water level.

**Beyond the vicinity** is the zone that exists beyond the “in the vicinity” zone away from the watercourse or loch.

**High loch water level** is the average water level typically reached during wet periods.

**In the vicinity** for a watercourse this is the zone that extends away from the bank top for a distance of 10 metres or two channel widths (whichever is shorter). For a loch this is the zone that extends 10 metres away from the bank top.

**In-loch Structure** means any structure that occupies a portion of the bed of the loch including bed reinforcement, jetties, platforms, marinas, croys, groynes and other flow deflectors, but excluding land gain, temporary structures, bridge piers and impounding works.

**Loch** isa body of standing inland surface water.

**Normal loch water level is** the water level that occurs for a large part of the year when the loch is not experiencing high water levels. Higher than the minimum water surface elevation.

**Protected area** means an area designated under International (Ramsar sites), European (Special Areas of Conservation and Special Protection Areas) or National (Sites of Special Scientific Interest) legislation, to provide protection of their notable natural features or biodiversity. This legislation places duties on SEPA to assess whether activities we regulate would harm these sites.

**Riparian zone of a loch** is thearea of land extending from the bank top or the limit of terrestrial vegetation and capable of directly influencing the condition of the aquatic ecosystem (e.g. by shading and leaf litter input)

**Sediment** refers to the natural material of which the bed of a watercourse or loch is made (includes sand, silt, clay, gravel, cobbles and boulders).

**Temporary crossing** (Water Registrations and Permits) is a crossing which will be removed after the completion of the authorised activity.

**Temporary structure** (Water registrations and Permits) is a structure which will be removed after the completion of the authorised activity.

**Wetted part** is the part of any watercourse or loch that is wet while carrying out works in a watercourse or loch.

# Disclaimer

Whilst every effort has been made to ensure the accuracy of this guidance, SEPA gives no warranty, covenant or undertaking (express or implied) regarding the fitness for purpose of, or any error, omission or discrepancy in this guidance. Reliance on its contents and the contents of any websites that are linked to or from this guidance is entirely at the user’s own risk. SEPA is not liable for any loss or damage that may come from using this guidance. This includes:

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