

# **Water Framework Directive**

Dr Lauren Tewson  
Environmental Consultant

## **Dr Lauren Tewson**

Environmental Consultant



- Director – Lincolnshire Rivers Trust 2013 – present (voluntary position)
- Environment Agency - Environmental Monitoring Officer 2011-2013
- PhD – Hull International Fisheries Institute – 2008-2011
- BSc (Hons) – Aquatic Zoology – University of Hull

## **Roy Loble**

Associate



- IDB - Assistant Engineer 1981-1989
- Environment Agency 1989 - 2007
- AECOM – Associate Director – Flood Risk Management 2007 - 2014



## Order of presentation

- **Background to the Water Framework Directive (WFD)**
- **Your consents and the WFD**
- **WFD Compliance Assessments**
- **Questions**



The Water Framework Directive (WFD) is European legislation.

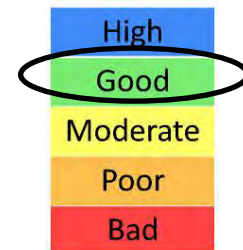
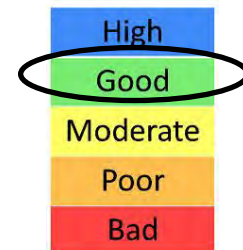
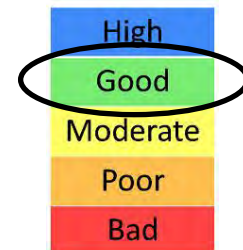
- Establish a framework for the protection of inland surface waters.
- Including **rivers** and **lakes**, transitional waters (**estuaries**), **coastal waters** and **groundwater**.
- All aquatic ecosystems and, with regard to their water needs, meet '**Good Status**' by **2015**.



All waterbodies have to achieve “**Good Status**” or “**Good Potential**” by 2015 unless there are grounds for derogation then achievement of good status may be extended to 2021 or by 2027 at the latest.

**Heavily modified** and artificial waterbodies will be assessed in relation to their ‘**Potential**’.

Ecological status is based on a number of biological, chemical and physical elements.





# WATER FRAMEWORK DIRECTIVE

# BWB



## River Basin Management Plans

REPORT on the Implementation  
of the Water Framework Directive  
(2000/60/EC)



## Designation



## Catchment Based Approach (CaBA)

- Rivers Trust on an annual basis host Catchment Partnerships
- Carry out river restoration projects that help rivers achieve their WFD objectives.
- As a charitable Trust it is hoped that Rivers Trusts are not restricted by red tape and can attract more match funding.

### **Lincolnshire Rivers Trust** **Hosts the Witham Partnership for the Witham catchment**

What has been achieved so far:

- Employing our Project Officer
- Carrying out PINPOINT educational workshops for farmers on the influence of sediment and diffuse pollution on the water environment
- Producing a video highlighting the positives and negatives of such a diverse catchment
- Completing a project list in collaboration with our steering group
- Drafting a catchment plan
- Started river restoration projects within the catchment





## **Your Consents and the WFD**



*“If you issue consent for a proposal which causes a water body to deteriorate or prevents the objectives of the WFD from being met, this will be reported to the European Union. This could result in the UK Government facing infraction (financial penalties) from the European Union.”*

**Quotation taken from EA guidance**

Ordinary watercourse regulation within internal drainage districts is undertaken by internal drainage boards (IDBs) and Lead Local Flood Authorities.

## Does your consent comply with the WFD?



## Environment Agency Flood Defence Consent

Form FD 001: Application for flood defence consent

### 12 Water Framework Directive (WFD) assessment

#### 12.1 Is a Water Framework Directive Assessment needed as part of your application? (See the guidance notes.)

- No ☐
- Yes ☐ Has one been submitted?
- No ☐
- Yes ☐

### 13 Fees

The fee is £50 for each structure associated with the application. If you are not clear what charge will apply, contact us before you send us this application.

### 14 Checklist

Please read through this list and tick the items you are sending with this application.

- Completed form ☐
- Fee (if it applies) ☐
- Copies of drawings and plans ☐
- Method statement (if it applies) ☐

### 16 Declaration

If you make a statement that is false or misleading you may be committing an offence under the Water Resources Act 1991 – Section 109, the Flood Defence (Land Drainage) Byelaws/Sea Defence Byelaws, the Environment Act 1995 or the Flood and Water Management Act 2010.

I declare that as far as I know and believe, the information in this application is true. I understand that this application may be refused, or approval withdrawn, if I give false or incomplete information.

Tick this box to confirm that you understand and agree with the declaration above. ☐

Name

Title (Mr, Mrs, Miss and so on)

First name

Last name

Position

Today's date (DD/MM/YYYY)



## LCC Ordinary Watercourse Land Drainage Consent



Guidance for Ordinary Watercourse Land Drainage Consent

GUIDANCE

### Appendix 5 – Water Framework Directive Requirements

*The WFD requires authorities to aim to achieve good status or potential in all water bodies by deadlines set out in River Basin Management Plans (RBMPs). RBMPs describe the main issues for the water environment within each river basin district. They describe, at a local level, which actions and measures need to be implemented to achieve the objectives of the WFD.*

The WFD includes an obligation to prevent deterioration in the overall status of water bodies, referred to as no deterioration. New activities such as flood alleviation schemes, maintenance activities, or in-channel engineering works may affect the water environment impacting on its biology, hydromorphology or chemistry. These impacts could lead to deterioration.

New activities and schemes may also prevent proposed actions and mitigation measures included in RBMPs from being delivered. This may lead to a water body failing to meet its ecological objectives.

A WFD assessment may need to be undertaken as part of a consent application to establish if a proposal will

- cause deterioration; or
- prevent the achievement of ecological objectives set out in RBMPs

Applicants should undertake WFD assessments before applying for consent because assessments can be time consuming.

When issuing Consents, authorities need to screen the proposal to see if a WFD assessment is needed. If an assessment is needed, the authority needs to be able to give the applicant general advice and explain how an assessment would tie-in with a consent application. It is the responsibility of the applicant to undertake the WFD assessment.

If a WFD assessment is needed but has not been undertaken, the Consent should be refused using the WFD as a reason for refusal. Consent refusals on nature conservation grounds are supported by: Land Drainage Act (Section 61B), Wildlife and Countryside Act for SSSIs (Section 28G and 28I) and NERC Act (Section 40).

If a consent is issued for a proposal which causes deterioration or prevents the objectives of the WFD from being met, this will be reported to the European Union. This could result in the UK Government facing infraction (financial penalties) from the European Union.



## North East Lincolnshire Council Ordinary Watercourse Consent

### **12 Water Framework Directive (WFD) assessment**

It is important that as part of the application process your proposals are assessed for compliance with the Water Framework Directive (WFD) objectives.

A proposal included in a consent application might cause a water body to deteriorate in status and/or prevent its ecological objectives from being met.

To achieve the goals of the WFD, we must ensure any new scheme or activity is assessed for WFD compliance. It's essential that you contact your area teams to discuss any requirement to undertake a WFD assessment prior to submitting your application.





# **WATER FRAMEWORK DIRECTIVE COMPLIANCE ASSESSMENTS**



## WFD Compliance Assessments

The EA have slowly been implementing **WFD Compliance Assessments** (WFDCAs). Using the planning process as a means of assessing waterbodies.

Guidance should be available soon from the EA on how a WFD Compliance Assessment should be completed.

In our experience the EA and Local Authorities have been requesting WFDCAs which should be completed in conjunction with land drainage consents and flood defence consents

## What does a WFDC entail?



## Case Study – Chellaston



PROPOSED CULVERT  
SECTION A-A.

<b>Waterbody Category and Map Code:</b>	River - R7	<b>Surveillance site:</b>	No
<b>Waterbody ID and Name:</b>	<a href="#">GB104028053130</a>	Cuttle Brook Catchment (trib of Trent)	
<b>National Grid Reference:</b>	SK 36262 31229		
<b>Current Overall Potential</b>	Poor		
<b>Status Objective (Overall):</b>	Good by 2027	(For Protected Area Objectives see Annex D)	
<b>Status Objective(s):</b>	Good Ecological Potential by 2027		
<b>Justification if overall objective is not good status by 2015:</b>	Disproportionately expensive, Technically infeasible		
<b>Protected Area Designation:</b>	Freshwater Fish Directive, Nitrates Directive		
<b>SSSI (Non-N2K) related:</b>	No		
<b>Hydromorphological Designation:</b>	Heavily Modified		
<b>Reason for Designation:</b>	Flood Protection		
<b>Downstream Waterbody ID:</b>	GB104028047420		

<b>Ecological Potential</b>			
<b>Current Status (and certainty that status is less than good)</b>	Poor (Quite Certain - WoE)		

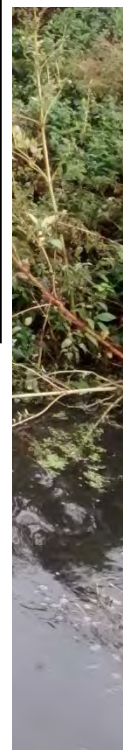
<b>Biological elements</b>			
Element	Current status (and certainty of less than good)	Predicted Status by 2015	Justification for not achieving good status by 2015
Invertebrates	Moderate (Quite Certain)	Moderate	Not Required (MS)
Phytobenthos	Poor (Very Certain)	Poor	Disproportionately expensive (P1a)

<b>Supporting elements</b>			
Element	Current status (and certainty of less than good)	Predicted Status by 2015	Justification for not achieving good status by 2015
Ammonia (Phys-Chem)	Good	Good	
Dissolved Oxygen	High	High	
pH	High	High	
Phosphate	Moderate (Very Certain)	Moderate	Disproportionately expensive (P1a)
Temperature	High	High	
Copper	High	High	
Zinc	High	High	
Ammonia (Annex 8)	Good	Good	

<b>Supporting conditions</b>			
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**Thank You For Listening**

**Any Questions?**

