

Dam Removal goes Alps: Session 4.1 - Exemplary political frameworks



Political Frameworks for Dam Removal in the UK

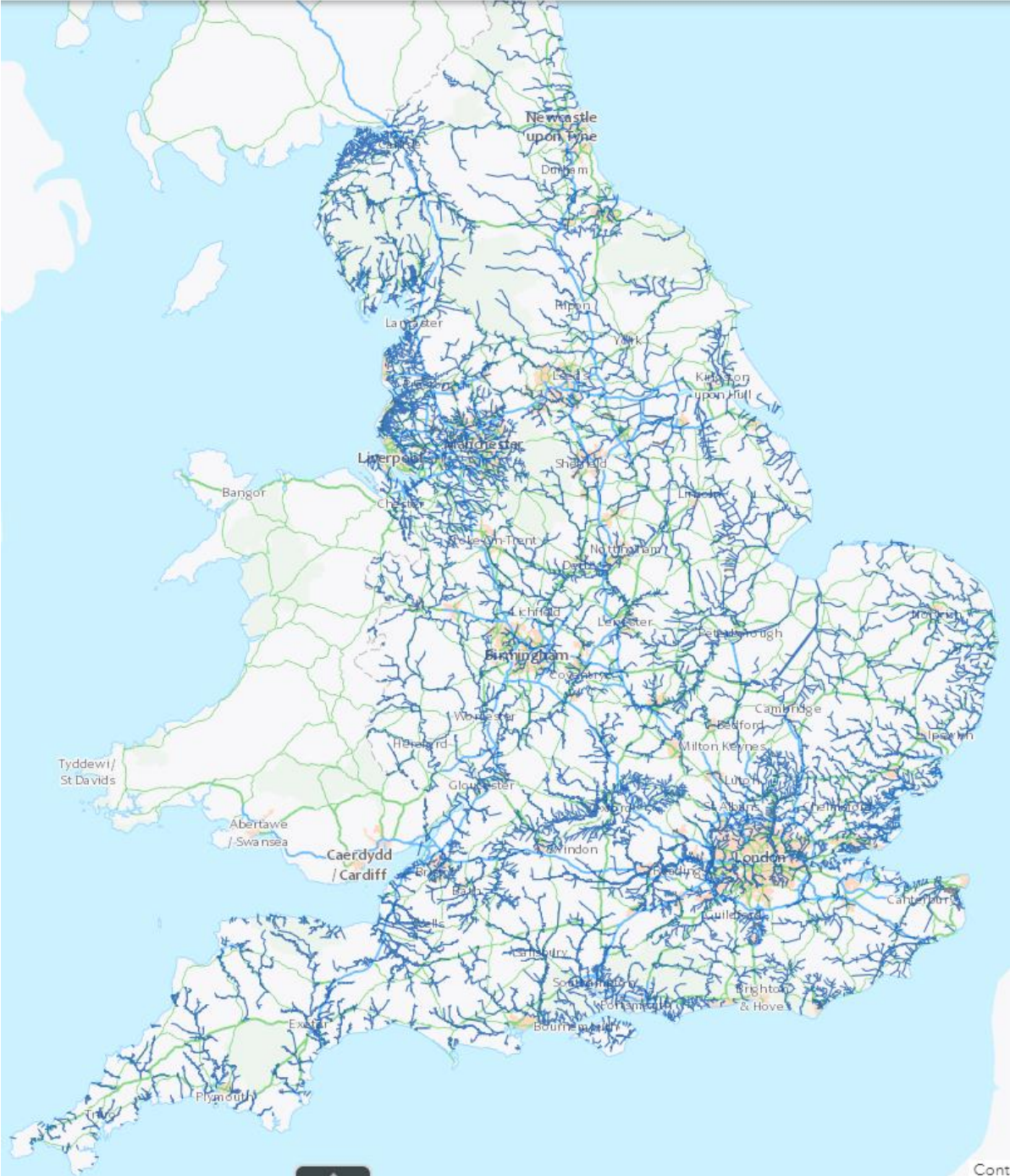
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Setting

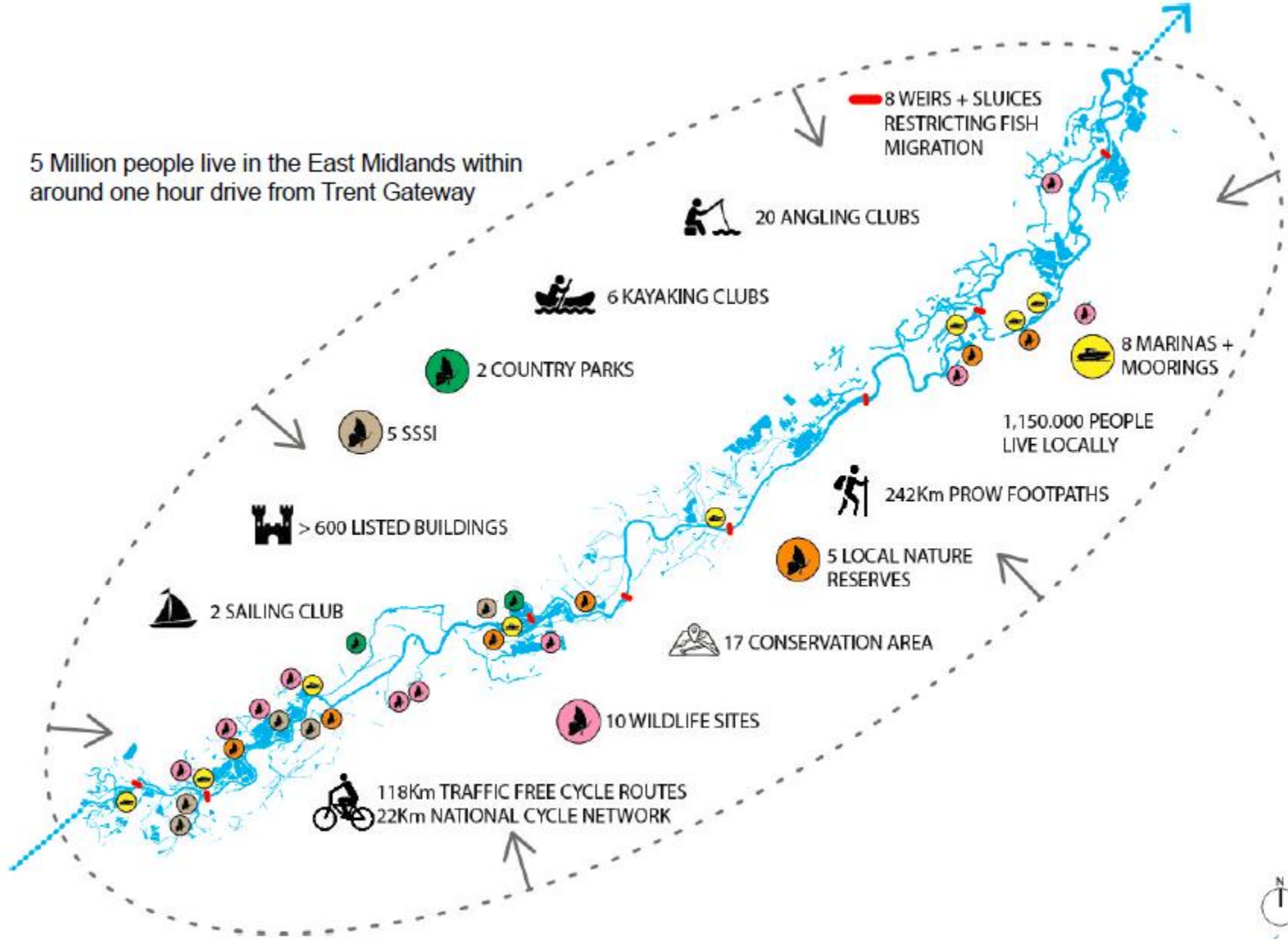
River management

- Environment Agency responsible for ‘main rivers’
 - Maintenance
 - Improvement
 - Construction
- Landowners are ‘riparian’ owners for ‘ordinary watercourses’
- Through WFD, rivers are managed at catchment level via River Basin Management Plans



Barrier Responsibilities

- Legacy from both river and canal navigation, mill power, flood risk management and abstraction, etc.
- Ownership is not always known or simple to establish
- EA, Canal & River Trust, River Trusts responsible for most 'main river' barriers
- Private ownership on 'ordinary watercourses' with some on 'main river'



Legislation and Policy Framework

Salmon and Freshwater Fisheries Act (SAFFA) 1975

- Section 10 - EA have the power “to construct and alter fish passes” ... “provided that no injury is done to the milling power...”

Environment Act 1995

- EA have a “general duty to maintain, improve and develop fisheries”
- 7-1 It shall be the duty of each of the Ministers and of the Agency, in formulating or considering any proposal relating to the Agency:
- (c) To have regard to the desirability of protecting and conserving buildings, sites and objects of archaeological, architectural engineering or historic interest.
- 2 (b) To have regard to the desirability of maintain the availability to the public of any facility for visiting or inspecting any building, site or object of archaeological, architectural, engineering or historic interest.

Water Act 2003

- Sections 2, 3 and 4 - Clarified that all works on an impounding structure need to obtain an impounding licence
- They “will remain in force for the lifetime of the works, allowing the Agency to attach or modify conditions to the licence to ensure that impounding works do not cause damage to the environment”

National Planning Policy Framework (Chapter 16). Revised 2018 Conserving and enhancing the historic environment.

- ‘Any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction... should require clear and convincing justification.’



Environment Act 1995

CHAPTER 25

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