

a) Where the risk to eels is high and solutions straightforward and/or low cost, we expect early action, in the first phase, before 2015. For sites presenting a higher challenge and higher cost, we may accept solutions delivered over later phases, linked to planned refurbishment, maintenance or replacement.

b) For lower risk sites we will agree improvements planned for implementation over subsequent phases to 2027.



c) Where we agree deferment of action on screening intakes beyond 2014, we will serve time-limited exemptions.

d) We will seek removal of obstructions in preference to installing a fish pass wherever this is feasible, cost beneficial and does not cause significant detriment e.g. to flood or erosion risk, to navigation or to the rights of others. The removal of obstacles such as weirs supports a return to a natural river channel and habitat, consistent with sustaining improved ecological status.

e) From January 2015, to be legally compliant, all intakes and outfalls must be screened for eel unless we serve notice to provide an exemption.

In the approach to 2015 and thereafter, we will serve exemptions as follows

i) We will not enforce the requirement for screening for those intake sites in those parts of river catchments that are not, and/or have a low likelihood of being naturally colonised by eel. We will clearly identify and map these areas. Nor will we enforce the requirement for screening at outfalls.

ii) For sites where we agree to defer screening, we will issue exemptions with clear end dates, by which time screening must be installed.

iii) In the case of sites where screening would normally be deemed necessary but costs are agreed to be disproportionately high and/or no feasible technical solution can be identified, we will issue exemptions subject to mitigation/compensation agreements. Such exemptions may be reviewable in the event of significant change at the site (e.g. refurbishment or replacement of intake facilities) that provides opportunity for a practicable screening solution. Where this is the case it will be identified and agreed at the time of issue and will be stated in the exemption

ENFORCEMENT

Any use of enforcement action will be risk-based. We will normally take action where a site has been assessed as posing a significant risk to eels, where notice has been served requiring action and where action has not been forthcoming within the reasonable timescale identified in the notice.

For a more detailed explanation of this enforcement position, please see our [Enforcement and Sanctions](#) statement. This can be found on the '[How we regulate you](#)' page in the Business & Industry section of our web site.

LIT 7888

customer service line
03708 506 506

incident hotline
0800 80 70 60

floodline
0845 988 1188

www.environment-agency.gov.uk