Ordinary watercourse consent application

Before completing this form we recommend you contact us for advice on your proposal.

Read the guidance notes and the application form carefully before completing it. If you aren’t sure about anything on the form, email landdrainage@n-somerset.gov.uk or call 01275 884 754 or 01275 888 204.

**Data Protection**

North Somerset Council is registered with the Information Commissioner’s Office for the purposes of processing personal data. The information you provide will be held and used in accordance with UK and European data protection law. For further details on how we use your personal information, please read our [full privacy notice](http://www.n-somerset.gov.uk/privacy-cookies/how-we-use-your-personal-data/privacy-notices-and-data-protection/).
If you have any concerns about how your personal data is handled, please contact the Data Protection Officer at DPO@n-somerset.gov.uk.

It should take about 20 minutes to complete this form.

1: applicant’s details

Name:

Contact person (if applying on behalf of an organisation):

Address (including postcode):

Telephone:

Email address:

2: agent’s details

Name:

Profession:

Address (including postcode):

Telephone:

Email address:

3: interest in the land

3.1: your interest in the land

4: location of the proposed works

4.1: location of the proposed works

4.2: name of the river or watercourse (if known)

4.3: 12 figure national grid reference of the site (if known)

5: description and purpose of proposed works

5.1: description of proposed works

5.2: number of structures

6: plans and sections

6.1: description and reference number of all plans and section provided (see guidance notes)

7: construction details

7.1: the works are…

[ ]  permanent (for example accessing a culvert)

[ ]  temporary (for example scaffolding)

[ ]  both

7.2: date the construction work will start:

8: Environment Agency interests

8.1: the proposed works involve or affect…

[ ]  abstracting (removing) water

[ ]  fish or fisheries

[ ]  disposing of waste material

[ ]  discharging of water

Call the Environment Agency on 03708 506 506 if the work involves any of these things.

9: other authority permissions

Complete this section if you have been given planning permission for the proposed works, otherwise go to section 11.

9.1: planning authority:

9.2: application number:

9.3: approval date:

10: maintaining the structure

10.1: name of person or organisation responsible for maintaining the structure…

 during construction:

 once completed:

11: effects on the environment

11.1: brief details of the effect the work will have on the environment and any proposals for improvements that will be made or action taken to compensate for the effects

12: water framework directive (WFD) assessment

12.1: is an assessment is required as part of your application

[ ]  yes – an assessment has been submitted

[ ]  yes – an assessment has not been submitted

[ ]  no

13: fees

The fee is £50 for each structure associated with the application. Contact us if you are unsure what charge is applicable before sending in your application.

14: checklist

Tick the items that you are sending with this application.

[ ]  completed form

[ ]  fee, if applicable

[ ]  copies of drawings or plans

[ ]  additional supporting information

[ ]  method statement

**The Data Protection Act 1998**

We will process the information you provide so that we can deal with your enquiry. We may also process or release the information to:

* offer you documents or services relating to environmental matters
* consult the public, public organisations and other organisations (for example, the Health and Safety Executive, local authorities, the emergency services, the Department for Environment, Food and Rural Affairs) on environmental issues
* carry out research into environmental issues and develop solutions to problems
* provide information from the public register to anyone who asks
* prevent anyone from breaking environmental law, investigate cases where environmental law may have been broken, and take any action that is needed
* assess whether customers are satisfied with our service and improve it where necessary
* respond to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (if the Data Protection Act allows

We may pass the information on to our agents or representatives to do these things for us.

15: declaration

By signing, you are declaring that the information given in this application, including any supporting documents, is true to the best of your knowledge.

Signature:

Name:

Date:

Return address

Return this form and any supporting documents to:

North Somerset Council, Highways and Transport – Ordinary Watercouse Applications, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ.

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For office use only

Ordinary watercourse: [ ]  yes [ ]  no

Fee applicable: [ ]  yes [ ]  no

Fee received: [ ]  yes [ ]  no

Date received:

LDA 1991

File/office reference:

Guidance notes for completing an ordinary watercourse consent application

Introduction

These guidance notes give you information to help you fill in your application for Ordinary Watercourse Consent.

If you fill in your application form correctly first time, we can process it quicker. We recommend you contact us for advice on your proposal before completing your application.

Under the Land Drainage Act 1991, consent is required for any mill dam, weir, or like obstruction to flow.

1: applicant’s details

This is the name of the individual, organisation or company applying for consent. This should be given along with the name, address and telephone number of a person who can be contacted to discuss the proposal(s).

You must give us your full UK address. The address you give here will be the address we register your consent to and will be shown on any ordinary watercourse consent we grant.

2: agent’s details

You can nominate someone other than the person named on any ordinary watercourse consent to act on your behalf, for example a consultant or agent.

You need to give us your (or the relevant person’s) full name, address and contact details.

If you complete this section, all correspondence will be sent to the agent. Leave it blank if it is not applicable.

3: interest in the land

We need to know what interest you have in the land, for example whether you are the landowner or tenant, and where the works will be carried out. If any work will be carried out on land that you do not own, you will need permission from the landowner.

4: location of the proposed works

We need to be able to easily identify where the proposed works will be carried out. Give details

of:

* the location of the site
* the name of the watercourse
* the national grid reference (12 figures)
* a site location plan

5: description and purpose of the proposed works

It is important that you accurately describe the proposals in your application. Tell us the purpose of the works and the number of structures you need consent for.

6: plans and sections

To consider your proposals we need to receive plans and drawings that should ideally be undertaken by a competent engineer or surveyor. The Ordnance

Datum Newlyn (the height above sea level) must be shown.

You need to provide us with a copy of all relevant drawings. These can be submitted in hard copy or electronically (in PDF format). The drawings must be no larger than A0 size and include...

**Location plan**

This should be at an appropriate scale and be based on an Ordnance Survey map. It must clearly show the general location of the site and include general features. It must also identify the watercourse or other bodies of water in the surrounding area.

**Site plan (general arrangement)**

You must provide a plan of the site showing:

* the existing site, including any watercourse
* your proposals
* the position of any structures which may influence local river hydraulics, including bridges, pipes and ducts, ways of crossing the watercourse, culverts and screens, embankments, walls, outfalls and so on
* existing fish passes or structures intended to allow fish to pass upstream and downstream

The plan should be drawn to an appropriate scale which must be clearly stated.

**Cross sections**

Where works encroach into any watercourse, you should provide cross sections both upstream and downstream of the proposed works. Cross sections should be drawn as if looking downstream on the watercourse and should include details of existing and proposed features and water levels.

**Longitudinal section**

We need longitudinal sections taken along the centre line of the watercourse. These must show the existing and proposed features including water levels, bed levels and structures. They should extend both upstream and downstream of the proposed work.

**Detailed drawings**

These are to show details of the existing and proposed features such as:

* the materials to be used for any structures
* the location of any proposed service pipes or cables which may affect future maintenance of the watercourse
* details of any tree, shrub, hedgerow, pond or wetland area that may be affected by the proposed works
* details of any planting or seeding
* dams and weirs
We need a plan showing the extent of the water impounded (held back) under normal and flood conditions so that we can assess the possible effect on land next to the river. The plan should also show any land drains to be affected.

7: construction details

You may need separate consents for the permanent works and any temporary works that do not form part of the permanent works. In some cases it may be possible to apply for both the permanent works and temporary works in one application.

Temporary works could include scaffolding, cofferdams (watertight enclosures) across a watercourse, or temporary diversions of water while work is carried out.

For any temporary work, we need to know how you are proposing to carry out the work. Send us a method statement that details plan you intend to take to minimise disruption and reduce any unwanted effects while the work is being carried out. Refer to pollution prevention guidelines as part of your work.

We need to know when you are proposing to carry out the work and how long you think it will take. When you are planning the work you need to make sure that you have allowed enough time for us to consider your application.

8: Environment Agency interests

If you answer ‘yes’ to any of the questions you will probably need extra licenses or consents from the Environment Agency or us before you start work. You should make sure that you have enough time to get all approvals you need before you start work. Work could be delayed if you odn’t.

9: planning approvals

Provide details of any planning permissions you may have or are applying for that relate to this proposal.

10: maintaining the structure

We need to know who will be responsible for maintenance both during construction work and after the work has finished.

11: effects on the environment

We have a legal duty to protect and improve the environment, so we must consider the environmental effects of your proposal.

You may need to carry out an environmental appraisal to assess the effects of your work. You should contact us before you send us your application so that we can advise you on this. If you don’t, your application could be delayed.

Your environmental appraisal should identify and consider all likely effects on the environment. You should consider the direct and indirect effects the work has on sites and features of interest and species of particular value.

Include any specific measures you plan to minimise any disruption and reduce any unwanted effects while the work is ongoing. Set out any opportunities for you to improve the

environmental value of the site. This may include creating water features, planting trees and shrubs that would normally grow at the site, providing bird nesting boxes or creating sustainable places for wildlife to live.

If as part of a planning permission we have asked for an environmental appraisal, you must send it to us with all the other supporting documents we need. If your site falls within, is next to or is linked to a nature conservation site, contact us as soon as possible to discuss your proposals before you send us your application.

Under the European Habitats Regulations, we must make sure that consent does not have a direct or indirect negative effect on any site specified in the regulations, including:

* sites of special scientific interest (SSSIs)
* designated special areas of conservation (SACs)
* special protection areas (SPAs)
* listed RAMSAR sites
* scheduled ancient monuments (SAMs)

Under the Habitats Regulations, we must consult Natural England or the Countryside Council for Wales (or CADW in the case of ancient monuments). You may want to contact these organisations yourself to get their views on your proposal.

12: water framework directive (WFD) assessment

It is important that as part of the application process your proposals are assessed for compliance with the directive 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 directive, we must ensure any new scheme or activity is assessed for compliance. It’s essential that you contact your area teams to discuss any requirement to undertake an assessment before submitting your application.

13: fees

A fee is charged for ordinary watercourse consent. Check the fee listed on the form. Contact us before you send us this application for confirmation of the appropriate fee if you are unsure.

14: checklist

The checklist is designed to help you make sure you are submitting everything you need to help us process your application. Tick the boxes so that we know what you have sent us.

15: declaration

By signing this section you are declaring that the information you have provided, including any maps or supporting documents, are true and accurate as far as you are aware. We will

not accept an unsigned application.

If you are applying as a company which has trustees, all trustees must sign the declaration. If you are applying as a limited company, a company secretary or a director must sign the declaration.