

Application for Ordinary Watercourse Land Drainage Consent

Guidance Notes

Introduction

Responsibility for Flood Defence/Land Drainage Consents for ordinary watercourses now rests with City of York Council. The Environment Agency retains responsibility for consents relating to main rivers and Internal Drainage Boards retain responsibility for consents within their administrative boundaries.

It is essential that anyone who intends carrying out works **in, over, under or near a watercourse or flood defence** contacts the relevant authority to obtain any necessary consent **before** starting the work. This is to ensure that any works do not endanger life or property by increasing the risk of flooding or cause harm to the water environment.

To apply for consent for works affecting an ordinary watercourse you must complete an Application for Ordinary Watercourse Land Drainage Consent form and send this to City of York Council along with all items on the checklist in section 12 of the form.

It is essential the application is completed accurately and for any accompanying information submitted to be clear.

If any information is missing, determination of your application could be delayed. **If you are in any doubt over whether you require consent, need any assistance with completing the form, or would like to clarify the fee payable, please contact:**

City of York Council

City & Environmental Services
West Offices
1 Station Rise
York
YO1 6GA

FRM@york.gov.uk

1&2. Applicant and Agent Details

Please complete and include email addresses

3. Location

The name of the watercourse as shown on the ordnance survey map should be given, as should the National Grid Reference of the works. The location plan should be clear and show the site where the works are to take place.

4. Description and purpose of proposed works

It is important to accurately describe the proposal(s).

Method statement

Please include a method statement detailing how the works are to be carried out, materials and machinery to be used and access and egress to the site.

Drawings

We require clear, scale drawings showing all new structures, repairs/modifications to existing structures and any temporary arrangements such as scaffolding and sandbags.

In addition we also require the following:

Calculations demonstrating the hydraulic capacity of any channel works, culverting or bridge works.

Bridges and Culverts - Additional cross sections upstream and downstream of the proposed works and/or a longitudinal section along the centreline of the watercourse are required sufficient for the average channel bed gradient to be determined.

Dams and weirs - A plan showing the extent of the impoundment under normal and flood conditions is required in order to assess the possible impact on riparian owners.

Details of any **planting or seeding** proposed within or adjacent to the watercourse within the floodplain.

5. Construction details

Separate consents are required for the permanent works and for any temporary works not forming part of the permanent works. If you are applying for both at the same time you need only complete one form, but state here. We still require two processing fees.

It is vital you confirm the duration of the works, where possible giving separate timescales for different activities, i.e. scaffolding, over pumping.

6. Emergency contact details

Please provide 24 hour contact details.

7. Details of person or organisation responsible for maintaining the structure on completion

Please provide details of who will be responsible for maintenance after the work is complete.

8. Environment Agency Interests

If you have answered yes to any of the questions you will probably need extra licences or consents from the Environment Agency before work can start. If this is the case please contact the Environment Agency tel. 03708 506506.

9. If Planning Approval has been granted please state

Please provide details of any planning permissions you have or are applying for that relates to your proposed works.

10. Brief details of environmental impact of works together with any proposals for compensatory enhancement

You may need to carry out an environmental appraisal of your proposed work, and in any case should consider all likely impacts and effects on the environment, to include effects on plants, habitats and any protected species such as otters, water voles, bats, great crested newts, crayfish, etc. Also give consideration to any possible pollution and its prevention.

Under the European Habitats Regulations, we must make sure that Flood Defence/Land Drainage consent does not have a direct or indirect impact on any site specified in this and other legislation, including but not limited to:

Sites of Special Scientific Interest (SSSI)

Special Areas of Conservation (SAC)

Special Protection Areas (SPA)

If the location of your proposed work is in such an area, City of York Council are required to inform Natural England who may contact you and impose requirements in order to protect the environment.

11. Water Framework Directive (WFD) Assessment

It is important that as part of the application process your proposals are assessed to see if they are aligned to the aims of the Water Framework Directive (WFD). A proposal included in a consent application might cause a water body to deteriorate in status or prevent its ecological objectives being met. If this is the case you will need to supply a WFD assessment with your application.

12. Checklist

Use this to check that you have included all the requirements to enable your application to be checked.

13. Declaration and Payment

By signing this section you are declaring that, to the best of your knowledge, the information you have provided is correct. We will not accept any application that is not signed.

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.

Payment can be made by cheque (Cheques should be made payable to City of York Council), or can be paid by debit/credit card by telephoning 01904 551660 for our Planning and Building Control. You will need to state that the payment is for a Land Drainage Consent application fee, the name of the site and the cost code QE033/603310 or written on the reverse of the cheque if paying by cheque.
