

LDC2

Blackburn with Darwen Borough Council Guidance Notes for Ordinary Watercourse Land Drainage Consent Application

(Flood and Water Management Act 2010 & Land Drainage Act 1991)

Introduction

Please read through these guidance notes and the application form carefully before you fill the form in.

If you are not sure about anything in these guidance notes, contact us using the details at the bottom of this form.

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

Before completing this form you are recommended to contact us for advice on your proposal. Under the Land Drainage Act 1991 and Flood and Water Management Act 2010, you need consent if you want to build a culvert or structure (such as a weir) to control the flow of water or a structure that may change or affect the flow on any ordinary watercourse.

There is a charge of £50 for each structure or operation for applications made under the Land Drainage Act.

Please follow this guidance to help avoid delays in your application.

1. About you, the applicant

Please tick **one** box to indicate the type of applicant you are.

Applications from companies

- Fill in this section if you would like to apply for Land Drainage Consent as a registered company. To apply as a company, you must be a registered company formally registered with Companies House. Any Land Drainage Consent you get will be in the company name registered with Companies House.
- You will need to give us your company name, as registered with Companies House, your company registration number, and the full name of the company director, and their official position.

Applications from individuals

- Fill in this section if you would like to apply as an individual.
- Give us your full name. The name you give will be the name on any Land Drainage Consent we grant.

Applications from groups of individuals

- Fill in this section if you would like to apply as a charity, group of individuals, club or partnership.
- Tick the relevant box to tell us whether you are a charity, group of individuals, club or partnership.
- Give us the name of your group. The name you give will be the name on any Land Drainage Consent we grant. If you are a limited liability partnership, please give the full name.
- Give us the full name, position, full address and contact details of your group's main representative.

Applications from public bodies

- Fill in this section if you would like to apply as a public body such as a local authority or an NHS trust.
- Please give us the full name of the public body. The name you give will be the name on any Land Drainage Consent we grant.
- Please specify what type of public body you are.

2. Your address

All applicants must fill in this section. You must give us your full UK address. The address you give here will be the address your Land Drainage Consent will be registered to and will be shown on any Land Drainage Consent we grant.

- If you are applying as a company, give your office address registered with Companies House. If this address is outside the UK, also give the address of your main UK office. We will not be able to process your application if you do not give us a UK address.
- If you are applying as an individual, a group of individuals or a public body, give the address of your main office in the UK. We will not be able to process your application if you do not give us a UK address.

3. Contact details

Who we can contact about your application

All applicants must fill in this section. You need to tell us who we should contact about your application for Land Drainage consent. You can nominate someone other than the person named on any Land Drainage consent (for example, a consultant or agent). You need to give us your or the relevant person's full name, address and contact details.

4. Your Interest in the Land

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

5. Location of the Proposed Works

We need to be able to easily identify where the proposed works will be carried out. Please give details of:

- The location of the site;
- The name of the watercourse; and
- The National Grid Reference (12 figures)

6. Description and purpose of the proposed works.

It is important that you accurately describe the proposals for the application being made. Please tell us the purpose of the works and the number of structures you need consent for.

7. Plans and Sections

To consider your proposals we need to receive plans and drawings, drawn by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level)

You need to provide three copies of all relevant drawings. The drawings must be no larger than A0 size, and they need to include the following.

Location Plan

This must be at an appropriate scale and be based on an Ordnance Survey map. It must clearly show the general location of the site where the proposed work will be carried out and include general features and street names. 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; and
- 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 sections

Longitudinal sections taken along the centre line of the watercourse are needed. 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 following:

- The materials to be used for any structures.
- The location of any proposed service pipes or cables which may affect the 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 must also show any land drains to be affected.)

8. Construction details

You need separate consents for the permanent works and any temporary works that do not form part of the permanent works. Temporary works could include, for example, 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. So you need to send us a “method statement” that includes details of the specific measures you plan to take to keep disruption to a minimum and reduce any unwanted effects while the work is being carried out.

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.

9. Environment Agency Interests

Please tick the appropriate boxes.

If you answer “yes” to any of the questions, you will probably need extra licenses or consents from the Environment Agency before you start work

You should make sure that you have enough time to get all approvals you need before you start work. If you don't, this could delay the work.

10. Planning Approvals

Please provide details of any planning permissions you may have or are applying for that relates to this proposal.

11. Maintaining the Structure

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

12. 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 give you advice on this. If you don't, your application could be delayed.

The environmental appraisal should identify 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 keep disruption to a minimum and reduce any unwanted effects while the work is being carried out.

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 Land Drainage 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; and
- Scheduled Ancient Monuments (SAMs)

Under the Habitats Regulations, we must consult Natural England or Countryside Council for Wales. You may want to contact these organisations yourself to get their views on your proposal.

13. Fees

The fee for Land Drainage Consent, where charged, is £50, contact us before you send us this application.

14. Checklist

Tick the relevant documents in this section so that we know what you are sending

The Data Protection Act 2018

This section sets out our rights and responsibilities under the Data Protection Act 2018 and General Data Protection Regulation.

15. Declaration

By signing this section you are declaring that, as far as you know, the information you have provided, including the map and any supporting documents, is true. 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.

Next steps

Please return this form LDC1 'Application for Ordinary Watercourse Land Drainage Consent' together with any supporting documents to the following address;

Blackburn with Darwen Borough Council
Drainage Section
1st Floor
One Cathedral Square
Blackburn, BB1 1EZ

If you need help filling in this form, contact the person who sent it to you or contact us as shown below.

General enquiries: 01254 585312

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, please tell us how we can improve it.

Please tell us if you have any communication needs such as needing information in a different language or alternative format (for example, in large print, in Braille or on CD).

**Blackburn with Darwen Borough Council
Authority Application for
Ordinary Watercourse Land Drainage Consent**



(Flood and Water Management Act 2010 & Land Drainage Act 1991)

Before completing this form you are recommended to contact us for advice on your proposal

To be completed in BLOCK CAPITALS

L.A. Code

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1. THE APPLICANT

Are you applying as a company, an individual, a group of individuals (partnership) or a public body?

(To apply as a company, you must be a registered company formally registered with Companies House. Please see [Companies House](#) website for more information.)

Company

Company Name*	
Company Registration No.	

*As registered with Companies House

Individual

Title	
First name	
Last name	

Group of individuals

What type of group are you?	
Name of your group	

Give details of your group's main representative

Title			
First name			
Last name			
Position			
Address			
Postcode		Email	
Country		Fax	
Phone		Mobile	

Public body

Name of the public body	
What type of public body are you?	

2. YOUR ADDRESS

- **Applications from companies** – please provide your office address registered with Companies House. If this address is outside the UK, please also provide the address of your main UK office
- **Applications from individuals, groups of individuals and public bodies** – please provide your main UK business address

Address			
Postcode		Email	
Country		Fax	
Phone		Mobile	

Address			
Postcode		Email	
Country		Fax	
Phone		Mobile	

3. CONTACT DETAILS

Who we can contact about your application

This can be you or someone acting as a consultant or an agent for you during your application process.

Title			
First name			
Last name			
Position			
Address			
Postcode		Email	
Country		Fax	
Phone		Mobile	

4. YOUR INTEREST IN THE LAND

4.1 What is your Interest in the Land?

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5. LOCATION OF THE PROPOSED WORKS

5.1 What is the Location of the Proposed Works?

5.2 Name of River or Watercourse (If known)

5.3 National Grid Reference of the Site (12 figures)

6. DESCRIPTION AND PURPOSE OF THE PROPOSED WORKS

6.1 Please provide a description of the proposed works.

6.2 Number of Structures

7. PLANS AND SECTIONS

7.1 Please provide a description and reference number of all plans and sections you have provided (see the guidance notes).

8. CONSTRUCTION DETAILS

8.1 Are the works permanent or Temporary?

If Temporary, For how Long?

8.2 Date Construction Work will start?

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9. ENVIRONMENT AGENCY INTERESTS

9.1 Do the proposed works involve or affect the following?

Impounding (holding back a watercourse)
Fish or fisheries
Water Quality

Abstracting (removing) Water
Disposing of Waste Material

If yes, please contact the Environment Agency on 03708 506 506

Planning Approvals

Fill in this Section if you have been given planning permission for the proposed works. Otherwise go to Section 11.

9.2 Planning Authority

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9.3 Application Number

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9.4 Approval Date

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9.5 Are the works associated with the Sustainable Urban Drainage Board (SABS)?

Yes No

10. MAINTAINING THE STRUCTURE

10.1 Name of Person or Organisation responsible for maintaining the structure

During Construction	
Upon Completion	

11. EFFECTS ON THE ENVIRONMENT

11.1 Please provide brief details of the effect the work will have on the environment together with any proposals for improvements you will make or action you will take to compensate for the effects.

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12. FEES

To find out our Land Drainage Consent fees, contact **us** before you sending us this application

13. CHECKLIST

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

- Completed Form with any associated documents and Calculations
- Applicable Fee
- Environmental/Ecological Reports
- Method Statement

14. 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, Welsh Government
- 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; and
- 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 below you are declaring that, as far as you know, the information given in this application, including the map and any supporting documents, is true.

Title	
First name	
Last name	
Position	
Signature	
Today's date	

16. Next steps

Please return this form together with any supporting documents to us.

If you need help filling in this form, contact the person who sent it to you or contact us as shown below.

General enquiries: 01254 585312

Please tell us if you have any communication needs such as needing information in a different language or alternative format (for example, in large print, in Braille or on CD)