

Lancashire County Council
Guidance Notes for
Ordinary Watercourse Consent (OWC) 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 Consent.

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent if you want to build a culvert or structure (such as a weir) which may alter or impede the flow of water 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 Ordinary Watercourse Consent as a registered company. To apply as a company, you must be a registered company formally registered with Companies House. Any Ordinary Watercourse 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 Ordinary Watercourse 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 Ordinary Watercourse 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 Ordinary Watercourse 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 Ordinary Watercourse Consent will be registered to and will be shown on any Ordinary Watercourse 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 Ordinary Watercourse Consent. You can nominate someone other than the person named on any Ordinary Watercourse 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 OWC 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
- The National 6 Figure Grid References

6. Description and purpose of the proposed OWC 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, preferably drawn by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level). We prefer that the drawings are submitted in electronic format (PDF, JPEG or CAD Format) However we do accept paper copies.

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 etc
- 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:

- Proposed structures, including cross section/plan/long section, features clearly labelled and with all dimensions etc.
- The materials to be used for any structures.
- Culverting of open watercourse:
 - Average Cross section dimensions of existing open watercourse section proposed to be culverted, to determine minimum size of proposed culvert required regarding existing flood water storage capacity.
 - Dimensions of nearest existing culverted sections upstream and downstream, with grid references, to determine minimum size of proposed culvert required.
- Dams/Weirs:
 - Plan showing the extent of the water impounded (held back) under normal and flood conditions to determine the effect on the watercourse and adjacent land / properties / watercourses / land drains.
- 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.

8. Construction details

We need to know if the works are permanent or temporary (dry working area / pump), if temporary then for how long, and when you are proposing to carry out the work. When you are planning the work you need to make sure that you have allowed enough time for us to consider your application.

You will also need to submit a Method Statement, site specific, that includes:

- Step by step details of the OWC works from start to finish (watercourse protection setup / excavation / construction / site clearance / reinstatement at the end of the works etc).
- How will disruption to the watercourse will be kept to a minimum (dry working area / over pumping etc).
- How will pollution (debris / silt / sand / concrete / oil / fuel etc) be controlled (catchment tray / silt barrier / spill kit etc).
- Give an example of what action would be taken if a pollution incident occurred within the watercourse (isolate area / remove pollutant / replace-clean silt barrier / immediately report to Environment Agency etc).

- What action will be taken to prevent an increase in the watercourse flow (rainfall) from affecting the works (weather forecasts watch / postpone-abandon works etc).

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 per structure. On validation of the application you will be invoiced. Please provide invoicing details as part of your application.

14. Checklist

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

The Data Protection Act 1998

This section sets out our rights and responsibilities under the Data Protection Act 1998.

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.

16. Next steps

Please return the Application for Ordinary Watercourse Consent and any supporting documents to the Flood Risk Management team. Preferably submitted electronically to the email address below, or to the postal address below.

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

General enquiries: 0300-123-6780

Email: highways@lancashire.gov.uk

Address: Lancashire County Council
Highways Department
Flood Risk Management
Cuerden Offices
Cuerden Way
Preston
PR5 6BS

Informatives:

- Ordinary Watercourse Consent must be obtained before starting any works on site.
- Ordinary Watercourse Consent sites may be inspected prior to the issuing of consent.
- Ordinary Watercourse Consent cannot be issued retrospectively.
- Unconsented works within the Highway or SuDS may not obtain adoption.
- Enforcement action may be taken against unconsented works.
- If the proposals involve works within the highway then additional permissions must also be obtained before starting any works on site;
 - Permission to work upon the highway - lhsstreetworks@lancashire.gov.uk
 - Permission to alter a highway asset (watercourse) - highwaysasset@lancashire.gov.uk