



LEICESTERSHIRE COUNTY COUNCIL

Ordinary Watercourse Land Drainage Consent

Land Drainage Act 1991

Name

Mr Martin Ware (on behalf of Fort Estates Ltd.)
Cooke's Office Suite 3
16, Maybrook Road
Minworth
Sutton Coldfield
B76 1AL

Consent applying to

Works at Hinckley Road, Barwell to include:

- Permanent consent for the installation of outfall headwall and temporary installation of sandbag dam to create dry working area to facilitate installation of headwall in ordinary watercourse.

Consent Number

HMS 904602

Effective from

05/10/2023

Leicestershire County Council Land Drainage Consent Documentation

Introduction

This Note does not form part of the Certificate of Authorisation.

Leicestershire County Council Land Drainage Consents are required by virtue of the Land Drainage Act 1991. The following activities on an ordinary (non-main) watercourse require Local Authority Consent:-

Under Section 23 of the Land Drainage Act 1991;

- The erection or alteration of any mill dam, weir or other like obstruction to the flow of any watercourse.
- The erection or alteration of any culvert that would be likely to affect the flow of any watercourse.

Under Sections 17 and 20(2) of the Land Drainage Act 1991;

- Any drainage works carried out by a local authority against flooding in connection with any watercourse.

Under Section 61F Land Drainage Act 1991 (Inserted by Schedule 22 Environment Act 1995)

- The operation of any drainage works, under the control of any Internal Drainage Board or local authority, so as to manage the level of water in a watercourse for the purposes of facilitating spray irrigation.

Note

Consent under the above legislation is required irrespective of whether the works are permanent or temporary.

Contraventions

In relation to ordinary watercourses, the Agency can under Section 24 of the Land Drainage Act 1991 serve a legal notice requiring the person to abate the nuisance within a specified time. Failure to abide by such a notice can result in Leicestershire County Council carrying out the necessary remedial work and seeking to recover costs.

Leicestershire County Council Land Drainage Consent Documentation

Land Drainage Act 1991

Land Drainage Consent

Control of works affecting watercourses and/or flood defences

Consent number: HMS 904602

To: Mr Martin Ware (on behalf of Fort Estates Ltd.)

Leicestershire County Council, in exercise of its powers under Section 23 of the Land Drainage Act 1991 and subject to the conditions attached, hereby grants its consent in relation to the works or operations described in this Consent.

Watercourse: Unnamed watercourse

Location: Hinckley Road, Barwell

Map reference: 443696, 296311

Description of works:

- Permanent consent for the installation of outfall headwall and temporary installation of sandbag dam to create dry working area to facilitate installation of headwall in ordinary watercourse.

As detailed on plans and sections

- [DRNG ref – 202 – Headwall Details]

Works to be carried out as described in the provided Method Statement received on 03/10/2023

Leicestershire County Council does not accept any responsibility for the design and construction of the works referred hereto and any liability for any loss or damage which may arise out of their design, construction, maintenance or use.

This Consent shall come into effect on

05/10/2023

Leicestershire County Council Land Drainage Consent Documentation

Signed on behalf of Leicestershire County Council

A handwritten signature in black ink, appearing to read 'Martin Coleman', followed by a vertical line.

Martin Coleman
Senior Technician
05/10/2023

Leicestershire County Council Land Drainage Consent Documentation

Conditions

This consent is granted with the following conditions:

General:

- The works must be undertaken in accordance with the approved plans, drawings, calculations, method statements, specifications and other documents provided to Leicestershire County Council for consenting. Any amendments or significant changes to the information provided should be consented by Leicestershire County Council for approval.
- Leicestershire County Council, in their role as Lead Local Flood Authority, takes no responsibility for maintaining any temporary or permanent structures proposed as part of this consent.
- The works should be carried out in a manner to ensure there is no increase in flood risk to third parties.
- Leicestershire County Council does not accept any responsibility for the design and construction of the works that are subject to this consent and any liability for any loss or damage which may arise out of the design, maintenance or use.
- It is the applicant's responsibility to obtain any consent/permission of any owners and occupiers that may be affected by the works. This consent does not confer rights of entry over property.
- This consent does not remove the applicant's necessity to obtain other licenses, consents, approvals or permissions (including planning permission and land drainage byelaws) which may be required by law or in order to comply with any duties or responsibilities for conservation or protection of the environment.
- For any "out of hours" problems (particularly flooding or pollution incidents) it is required that the applicant provide a 24 hour emergency contact telephone number to the Leicestershire County Council prior to construction commencing. Should any pollution problems occur on site the Environment Agency must be informed immediately 0800 807060 and Leicestershire County Council (0116 30550001) also informed.
- Prior to any de-vegetation works a thorough visual inspection of the site should be conducted by a suitably qualified ecologist ensuring no nesting birds, protected species or invasive species are present. In the instance that any nesting birds or protected species are encountered (i.e. roosting bats, water voles, otters etc.) the commencement of works should be halted and a notification be sent to ourselves.
- It is recommended all plant access/egress to the site is confined to one established route to ensure vehicular activity during the construction phase has no adverse effect upon the wider riparian environment.
- The contractor should monitor the weather forecast and in the event of likely flooding all materials should be removed from site until natural flow conditions are resumed. It is also recommended that works do not take place whilst the river is in spate.
- Material used for backfilling must be inert, free from any pollutants and not contain any material that could potentially leach out into the watercourse.
- No excavated material or debris arising from the construction of the works shall be disposed of on the site or the flood plain without the approval of Leicestershire County Council.

Leicestershire County Council Land Drainage Consent Documentation

- Upon completion of the works all debris and surplus materials must be removed from the site of the works and the banks left in a stable condition.
- The banks of bed where disturbed shall be restored to the reasonable satisfaction of Leicestershire County Council.
- Invasive species such as Japanese Knotweed, if encountered, must be managed and controlled on site.
- All reasonable precautions must be taken during the works so as not to obstruct, impede or interfere with the flow of water in, into or out of the watercourse and not to damage the banks or bed or any drainage works without the approval of the Leicestershire County Council.
- A spill kit is to be present on site at all times during works.
- Landscaping of banks is restricted to native species only.
- Petrol or diesel apparatus should be operated from the bank side and must not enter the watercourse.
- Any machinery used should be checked prior to use for any leakages, any waste chemicals and all wash waters appropriately disposed of to mitigate the deterioration in the current ecological health of the watercourse or any downstream receiving waters.

Timing:

- Works to be carried out in the time period of three years from the consent approval date. Any extensions of approval should be applied for to Leicestershire County Council.
- A week's notice should be given to Leicestershire County Council before commencement of works.
- Notice in writing must be given immediately by the applicant to Leicestershire County Council upon completion of the works.
- As built drawings of the work must be provided to the Leicestershire County Council within 1 month of completion.
- Construction works should ideally take place between 8am – 4pm to reduce the impact on all wildlife.

Temporary Works:

- Temporary watercourse diversion must cause minimal obstruction to existing flows. Over pumping to be available on site in case of flooding risk or restriction to the watercourse.

Where a watercourse is required to be temporarily dammed off:

- Any temporary dam should not be set higher than 2/3rds of the ditch profile in order to prevent flooding to upstream property/ies during a flood event.
- Where used, a boom should be long enough to accommodate all water levels; a spare boom should also be available on site for use in emergencies. Booms available for the purpose are designed to be oleophillic (receptive to petrochemical absorption but not water).

Leicestershire County Council Land Drainage Consent Documentation

Where works require de-watering:

- Please ensure that de-watering takes place gradually in order to allow wildlife to move out of the way and not be caught in the process, and to facilitate any fish rescue being undertaken.
- In order to reduce the impact of sediment disturbance within the watercourse, filtration media such as hay bales should be positioned downstream of the discharge point before any work is carried out. The filtration material should be inspected regularly and maintained where appropriate.
- Dams must be lowered gradually to prevent a flood of water down the watercourse.

Where over pumping is used:

- Contingency measures should be in place regarding pump failure (auxiliary pump in place during pumping), flash flooding events (monitoring of weather conditions and weather warnings during pumping). Where possible, adjacent pastureland should be made available for the emergency discharge of pumped water/flood water.
- During pumping, the outfall must be checked daily. The Environment Agency must be informed if pumped water containing polluting material e.g. oils, or heavy suspended solids, are allowed to enter the watercourse.
- Any pumping equipment used should have a suitable screen/strainer to prevent fish and other materials being drawn in. Pumping should be undertaken in a manner that minimises bed disturbance, avoids movement of silt and minimises scour.