



Guidance for Application for Ordinary Watercourse Consent Land Drainage Act 1991

Please read these guidance notes before completing the application form. If you are unsure about anything in these guidelines, please contact the Lead Local Flood Authority (LLFA), East Sussex County Council, who will be happy to offer advice.

Section 1 – Applicant name and address

Fill in your contact details if you are applying for Ordinary Watercourse Consent as an individual or as part of a company, public body or group of individuals (partnership). Please provide your full name and the full name of your organisation, as if consent is granted this name will be on the Consent Documentation issued.

Section 2 – Agent name and address

Fill in your contact details if you are acting on behalf of an applicant. In Section 1, fill in the details of the applicant or organisation you will be representing.

Section 3 – Interest in land

What is 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.

Section 4 – Location (full postal address of the application site)

Please provide the name of the watercourse on which the proposed works will be carried out, if known.

In order to help identify where the proposed works will be carried out please provide details of the site location, along with the grid reference. The twelve figure National Grid reference of the works location must be provided.

Section 5 – Description and purpose of works

Please provide a description of the proposed works

It is important that you accurately describe the proposal for the application being made.

What is the purpose of the proposed works?

Please tell us the purpose of the works and the number of structures you need consent for.

Section 6 - Construction details

Are the works temporary or permanent? (if temporary, state for how long)

Please tell us whether the works are temporary or permanent, a separate consent will be needed if both are required. Temporary works could include, for example, cofferdams (watertight enclosures) across a watercourse, or temporary diversions of water while work is carried out. Please also state how long the temporary works will be in position.

Please tell us when you plan to start the proposed works, if consent is granted. When you are planning the work you need to make sure that you have allowed enough time for us to consider your application.

Section 7- Pre-application advice

Please indicate if we (East Sussex County Council) have already provided you with advice prior to your application and the date when this advice was given.

Section 8 – Maintenance

We need to know who (individual/organisation) will be responsible for maintenance both during construction work and after the work has been completed.



Guidance for Application for Ordinary Watercourse Consent Land Drainage Act 1991

Section 9 – Planning approvals

Please inform us whether the works form part of larger works or development which requires planning permission. Please provide the reference number of the planning application if known.

Section 10 – Environmental effects

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 or Water Framework Directive Assessment to assess the impacts of the proposed works. You should contact us before submitting this consent form so we can provide advice on additional documentation needed in support of your application.

The Water Framework Directive Assessment will assess the impacts of the proposed works on the watercourse, in relation to its ecological and chemical status/potential. No deterioration to the current status of the water body is permitted and improvements may be able to be delivered in tandem with your works, for example delivery of wider statutory requirements, such as the objectives of the South East River Basin Management Plan.

The Environmental Appraisal will identify all likely significant effects of the proposed works 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 in this section 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 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 application an Environmental Appraisal was requested, you should attach a copy to this submission.

If your site falls within, is next to or is linked to a nature conservation site, again contact us as soon as possible to discuss the proposed works before you send us your application. Under National and European Regulations, we must make sure that the granting of Ordinary Watercourse Consent does not have a direct or indirect negative effect on any specified sites, including:

- Sites of Special Scientific Interest (SSSIs);
- Special Areas of Conservation (SACs);
- Special Protection Areas (SPAs);
- Ramsar sites and
- Scheduled Ancient Monuments (SAMs).

Under the European Habitats Regulations, we must consult Natural England. You may want to contact this organisation yourself to get their views on your proposal.

Section 11 – Other regulatory 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. With regard to the disposal and/or importation of waste materials, you will also need to discuss your proposal with East Sussex County Council, as you may require planning permission. You need to ensure that you have enough time to get all the approvals you need before you start work. If you do not, this could delay the work. Contact us or the Environment Agency if you have any questions on how you should proceed.



Section 12 – Authority employee/member

Please inform us if you are, or are related to a member of staff or elected member.

Section 13 – Attachments / checklist

In order to validate your proposal the following need to be posted along with your application.

i. 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). The drawings must be no larger than A0 size, and they need to include the following:

ii. The following plans:

- **A 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 works 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.

- **A Site Plan (general arrangement)**

You must provide a plan of the site showing:

- the existing site, including any watercourse(s);
- 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 any other structures;
- 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.

- **A Flood Risk Assessment**

This is an assessment of the impact which the intended works will have on flood risk.

Where appropriate, and when required by the County Council, applications for Land Drainage Consent shall include hydrological and hydraulic calculations consistent with the Environment Agency's guidelines and industry standards.

- **Cross Sections**

Where works encroach into a 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 works.



Guidance for Application for Ordinary Watercourse Consent Land Drainage Act 1991

- **Detailed drawings**

These are to detail 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 habitats and species 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.
- iii. Attach a Water Framework Directive Assessment or Environmental Appraisal if one is required, for example if you have been informed that one is required during pre-application discussions with the LLFA.
- iv. Please provide a method statement detailing:
- how the works will be constructed;
 - when the works will be constructed;
 - how long construction will take;
 - any temporary works;
 - the programme of works;
 - how flood risk will be managed during construction (including any specific measures to do so);
 - pollution protection arising from the construction of the works and
 - how issues associated with flora and fauna will be managed.

When you are planning the work you need to make sure that you have allowed enough time for us to consider your application.

The method statement needs to be approved in writing by the LLFA before work can commence.

Section 14 – 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, are true. We will not accept any application that is not signed.

Additional notes

If there is any other information you have in support of your application or there is a query you wish to raise, please detail this within this section.

Send the form and attachments to:

Flood Risk Management, CET, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE.

Pay your Application Fee (£50) using a debit or credit card by calling **01273 481280** (Monday to Thursday 9am to 5pm and Friday 9am to 4:30pm). You will need to provide the applicant name and site details.

If you have any questions or have been advised to contact us:

Phone: 0345 60 80 190

Email: watercourse.consenting@eastsussex.gov.uk

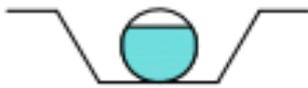
A Guide to Consentable Works on Ordinary Watercourses

Under Section 26 of the Land Drainage Act (LDA) 1991, East Sussex County Council (ESCC) as the Lead Local Flood Authority (LLFA) is responsible for securing the appropriate flow of water within any ordinary watercourses (not main rivers). Therefore prior to commencement, consent must be obtained from ESCC for any activities/works which impede the flow of water within such a watercourse, or alter the cross-sectional profile.

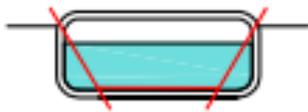
Separate consents are required for temporary and permanent works.

For structures classified as 'Non Consentable' ESCC should also be consulted upon the design of the structure and progress of the works.

ESCC is not responsible for the consent of effluent discharge or for comments on water quality – consent for these activities must be obtained from the Environment Agency.



Pipe Culvert (including extension and removal of)
Consent Required under Section 23 1 (b).



Oversized Box Culvert (including extension and removal of)
Consent Required under Section 23 1 (b).



Trash Screens
Consent Required as it is an alteration to a culvert and has the potential to obstruct flow.



Bank Protection Works
Consent Not Required under LDA 1991 (Temporary works may require consent).



Pipe Crossing (in channel)
Consent Required under Section 23 1 (a).



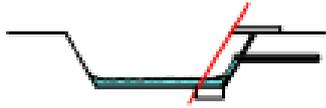
Pipe Crossing (above bank)
Consent Not Required under LDA 1991 as it does not interfere with flow.



Pipe Crossing (below bed)
Consent Not Required under LDA 1991 as it does not interfere with flow (Temporary works consent required).

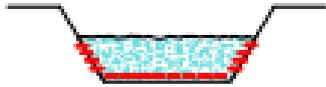


Protruding Pipe Outfall
Consent Required as it has the potential to interfere with flow.



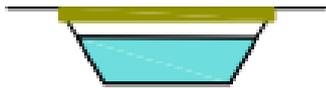
Outfall within Bank profile

Consent Not Required under LDA 1991 as it does not interfere with flow ([Temporary works consent required](#)).



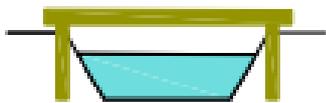
Weir/Dam or impoundment or temporary works that obstruct flow

Consent Required under Section 23 1(a).



Bridge (where soffit level is below bank top level)

Consent Required under Section 23 1 (a) if it has the potential to affect flow.



Bridge (abutments protruding but not reducing flow area/width)

Consent Not Required under LDA 1991 as it does not interfere with flow.



Bridge (abutments restricting flow) or Flume

Consent Required under Section 23 1 (b).



Clear span bridge

Consent Not Required under LDA 1991 as it does not interfere with flow.



Bridge with support in channel

Consent Not Required under LDA 1991 as it will not act as a dam/weir or like obstruction. Need to consider size of pier against size of watercourse, but would want to discourage the use of a pier in the watercourse ([Temporary works consent required](#)).