

# Ordinary Watercourse Consent

## Application Guidance Note

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

**Contact Us**[LLFA@wirral.gov.uk](mailto:LLFA@wirral.gov.uk)

0151 606 2333

- 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 above
- 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. Applicant Details	2. Agent Details (if applicable)
<p>This is the name of the individual, organisation or company applying for consent. This should be given along with the name, addresses and telephone number of a person who can be contacted to discuss the proposal(s).</p> <p>You must give us your full UK address. The address you give here will be the address we register your Ordinary Watercourse Consent to and will be shown on any Ordinary Watercourse Consent we grant.</p>	<p>You can nominate someone other than the person named on any ordinary watercourse consent (for example, a consultant or agent to act on your behalf). You need to give us your or the relevant person's full name, address and contact details.</p> <p>If you complete this section, we will send all correspondence will be sent to the Agent.</p> <p>Leave blank if not applicable.</p>

3. Location of Proposed Works	
<p>We need to be able to easily identify where the proposed works will be carried out. Please give details of:</p> <ul style="list-style-type: none"><li>• The location of the site;</li><li>• The name of the watercourse; and</li><li>• The national grid Reference (12 figures)</li><li>• A site location Plan</li></ul>	<p>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.</p>

#### **4. Description and Purpose of Proposed Works**

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

It is important that you state the correct number of structures as this will impact on the fee payable. Providing the incorrect fee may result in delays to your application.

#### **5. Plans & Sections**

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

You need to provide us with a copy of all relevant drawings. These can be submitted in hard copy or electronically (in pdf format). The drawings must be no larger than A0 size, and they need to include the following as a minimum:

##### **a) Location Plan**

This should be at an appropriate scale and be based on an Ordnance Survey map. It must clearly show the general location of the site and include general features. It must also identify the watercourse or other bodies of water in the surrounding area.

##### **b) 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.

##### **c) 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.

##### **d) Longitudinal sections**

We need longitudinal sections taken along the centre line of the watercourse. 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.

**e) 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 should also show any land drains to be affected.)

**6. Construction and Maintenance Details**

You may need separate consents for the permanent works and any temporary works that do not form part of the permanent works. In some cases it may be possible to apply for both the Permanent Works and Temporary within one application.

Temporary works could include, for example, scaffolding, 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 you plan to take to minimum disruption and reduce any unwanted effects while the work is being carried out. Please refer to Pollution Prevention Guidelines as part of your work

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.

We also need to know who will be responsible for maintenance of the watercourse and/or structure(s) both during construction work and after the work has finished.

**7. Other Authority Permissions *(Complete this section if you have been given planning permission for the proposed works. Otherwise go to Section 9)***

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

As a minimum, it is advised that consideration is given to whether your proposed works require:

- Planning Permission from the Council
- Highway Authority Permission/Permit from the Council
- [Environmental Permit for Flood Risk Activities](#) from the Environment Agency
- [Wildlife License](#)

This list is not exhaustive and does not remove from you the necessity to obtain other licences, consents, approvals or permissions which may be required prior to the commencement of works in law or in order to comply with any duties or responsibilities for conservation or protection of the environment.

## 8. Environmental Risk Assessment (including Ecological Survey)

**You must carry out an Environmental Risk Assessment to assess the effects of your work before you apply for Consent. Without this your application will be invalid and we will not be able to process it.**

Your Environmental Risk Assessment must identify and consider all likely effects on the environment, including ecology. You must consider the direct and indirect effects the work has on sites and features of interest and species of particular value. As a minimum, it is advised you consider the impact of your proposal and activity on:

- Flood risk
- Water quality
- Protected habitats and protected species, including those of local importance
- Historic or listed buildings or archaeological sites

Your Environmental Risk Assessment must demonstrate that your proposal will not increase flood risk, impact on drainage or harm the environment. It must also show that you have considered all the risks from your activity and have:

- changed the way you carry out your activity so that it doesn't cause any adverse effects
- put plans in place to reduce the risks
- found that there are no significant risks providing an explanation as to why.

**We may refuse your application if you have not done this, or if we consider the risks to be unacceptable.**

Your written Environmental Risk Assessment can be in any format but must include:

- relevant plans, including a site plan that is to scale which must show:
  - your site(s) and the location of each specific activity on the site(s)
  - all receptors that could be affected by the works
- surveys
- assessments

If your application requires consultation with other regulatory bodies, your Environmental Risk Assessment will be part of that consultation.

### How to undertake an Environmental Risk Assessment

1. Identify the risks of carrying out your proposed activity (including during construction) at your proposed site.
2. Identify the [receptors](#) that could be at risk, e.g. people, animals and property.
3. Identify the possible pathways from the risks to the receptors.
4. Assess the risks relevant to your proposed activity and check they are acceptable, or can be screened out.
5. For risks you can't screen out, state what you will do to control or mitigate them including when things do not go according to plan (this may include changing the design or location of your work).
6. Submit your risk assessment as part of your consent application.

Please contact us if you need further advice in undertaking an Environmental Risk Assessment before you send us your application.

**9. Fee**

The fee is £50 for each structure or operation for applications.

If you are unclear to what charge is applicable to your application, please contact us before completing your application.

Fees are non-refundable in the event that an application is refused.

**10. Checklist**

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

Failure to provide all relevant parts may result in a delay in processing your application.

**11. Data Protection Act 1998**

This section sets out our rights and responsibilities under the [Data Protection Act 1998](#).

**12. 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 an unsigned application.

- 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.

**13. Next Steps**

Please return your completed Application Form together with any supporting documents to:

**For Paper Submissions**  
Lead Local Flood Authority  
Wirral Council  
Hamilton Building  
Conway Street  
Birkenhead  
CH41 4FD

**For electronic submissions**  
[LLFA@wirral.gov.uk](mailto:LLFA@wirral.gov.uk)