



MONMOUTHSHIRE COUNTY COUNCIL

Application Form Guidance Notes For Ordinary Watercourse Consent

Introduction:

Please read through these guidance notes and the application form carefully before completing.

- If you fill in the application form correctly the first time, it will be processed more quickly.
- These guidance notes give you information to help you fill in your application for Ordinary Watercourse Consent.
- Before completing the application form, we recommend that you contact us for advice on your proposal.
- Under the Land Drainage Act 1991, you need consent if you want to build a culvert or structure (such as a weir) to control the flow of water on any ordinary watercourse.
- There is a charge of £50 for Ordinary Watercourse Consent applications made under the Land Drainage Act 1991.

If you are unsure about anything in the guidance notes or application form, please contact us via email Flooding@monmouthshire.gov.uk or via the My Monmouthshire app.

When you have completed the application form, please return it by recorded delivery, together with all relevant supporting documents, to:

F.A.O. Ordinary Watercourse Consenting Officer
Highways & Flood Management
Monmouthshire County Council
County Hall
The Rhadyr
Usk
NP15 1GA

NOTE: IF YOU ARE COMPLETING THE FORM VIA MICROSOFT WORD, EACH TIME YOU CLICK ON A TABLE TO FILL IN, PLEASE CLICK 'LAYOUT', 'AUTOFIT', AND 'FIXED COLUMN WIDTH' – THIS WILL STOP THE LINES FROM MOVING AND MAKE THE FORM EASIER TO COMPLETE.

3. Applicant

We need to understand who is making the application, so if you are applying as:

- A company go straight to 3.1
- An individual go straight to 3.2
- A group go straight to 3.3
- A public body go straight to 3.4

3.1 Applying as a company

You should fill in this section if you would like to apply for Consent as a Company. You must be formally registered with Companies House. Please ensure that the details you provide are those which are registered with Companies House. Any Consent you are granted will be in your registered company name.

3.2 Applying as an Individual

You should fill in this section if you are applying for Consent as an individual. If you are the named person in Section 2 (the main contact for the application) you do not need to fill in this section or 3.5. If you are not the named individual you need to complete this section. The name you give will be the name on any Consent we grant.

3.3 Applying as a Group

Fill in this section if you would like to apply as a charity, group of individuals, club or partnership. If the group's main representative is named in Section 2. You will still need to complete the name of the group and its status (i.e. is the group a charity, a club etc.). Please ensure that the name of the group is provided as this is the name which will appear on the Consent we grant.

3.4 Applying as a Public Body

Fill in this section if you would like to apply for consent as a public body such as an NHS Trust.
Please indicate the type of public body.

3.5 Address

If the applicant's main UK business address is the same as the address given in Section 2, there is no need to complete this section. This address you give will be the address your Consent will be registered to and will be shown on any Consent we grant.

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 a 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. 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.

6. 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 (height above sea level). It should be noted that we are not designing the work for you. You have to ensure that you comply with all current requirements of Construction (Design & Management) Regulations.

You will 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 plans

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 and 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 the 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 the land next to the river.

The plans must also show any land drains to be affected.

7. 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.

8. Additional licenses or consents

You need to consider if your plan will involve or could affect any of the listed.

If you answer 'yes' to any of the questions, you will probably need extra licenses or consents from Natural Resources Wales before you start. You should make sure that you have enough time to get all the approvals you need before you start work. If you don't this could delay the work.

9. 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 and consider 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 measure 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 Ordinary Watercourse Consent does not have a direct or indirect negative effect on any site specified in the regulations, including:

- Sites of Specific Scientific Interest (SSSIs);
- Designated Special Areas of Conservation (SACs);
- Special Protection Areas (SPAs);
- Listed RAMSAR sites; and
- Scheduled Ancient Monuments

Under the Habitat Regulations, we must consult the Countryside Council for Wales (or CADW in the case of ancient monuments).

You may wish to contact these organisations yourself to get their views on your proposal

10. Other Authority Permissions

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 the maintenance of the structure both during construction work and after the work has finished. The details must include addresses and suitable contact details e.g. telephone/email addresses etc.

12. Fees

The fee for Ordinary Watercourse Consent is £50. Payment can be made via the following options:

- Cheque (made payable to Monmouthshire County Council, included with your application)
- Credit/debit card (Income Office: 01633 644355)
- Bank Transfer (Monmouthshire County Council, 20-18-23, 13996565)

Please state clearly that your payment is for Ordinary Watercourse Consent so the money can be allocated correctly, otherwise this could lead to a delay in the processing of your application.

13. Checklist

We have provided a list of items for you to check which items are relevant to your application and should be included.

It should be noted that if the application is being submitted electronically it is only necessary to provide 1(one) set of supporting drawings and documents.

14. Declaration

We need you to sign the declaration in order to confirm that, to your knowledge, 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 a limited company, a company secretary or a director must sign the declaration.

15. Data Protection Act 2018 (General Data Protection Regulations)

We will process the information you provide so that we can deal with your enquiry.

We may also process or release the information to:

Consult the public, public organisations and other organisations (for example, the Health & Safety Executive;

Carry out research into the environmental issues and develop solutions to problems;

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 2017 (if the Data Protection Act allows).

16 Next steps

Please return the application form together with any supporting documents to our offices at;

F.A.O. Ordinary Watercourse Consenting Officer
Highways & Flood Management
Monmouthshire County Council
County Hall
The Rhadyr
Usk
NP15 1GA

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