

## INTERNAL DRAINAGE BOARDS

### APPLICATION FOR BYELAW CONSENT FOR WORKS AFFECTING WATERCOURSES EXPLANATORY NOTES

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#### 1. INTRODUCTION

It is essential that anyone who intends carrying out works in, over, under or near a watercourse, contacts the Board to obtain any necessary consents **before** starting the work.

Please note when making an Application it is essential to fill in the Application Form accurately and for any accompanying information, including drawings, maps and calculations submitted to be clear. Further details of the information required by the Board are given in these notes. In order to ensure that proper details are submitted you may wish to discuss the information required with the Board before you make your formal Application.

#### 2. BYELAW

The following operations have been identified as relevant to the Consent procedure :-

- 1 - Discharge to watercourses
- 2 - Control of structures e.g., sluices
- 3 - Diversion or stopping up of watercourse
- 4 - Obstructions within and adjacent to watercourses
- 5 - Erection of fences etc.
- 6 - Maintenance of buildings
- 7 - Dredging
- 8 - Storage of materials

The Board may add to or delete from the above list.

#### 3. HOW TO MAKE AN APPLICATION FOR CONSENT

The following notes should assist you in the completion of the Application Form and the submission of supporting documentation:-

##### **Details of Applicant**

The name of the individual, organisation or company applying for consent should be given along with the name, address and telephone number of a person who can be contacted to discuss the proposal.

##### **Agent's Details**

Agents acting on behalf of an Applicant should enter details. If this section is completed, all correspondence will be sent to the Agent. **Leave blank if not applicable.**

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### 3. HOW TO MAKE AN APPLICATION FOR CONSENT/Continued .....

#### **Applicant's Interest in Land**

Please state the Applicant's interest in the land i.e., Owner, Tenant etc.

#### **Location**

The name of the watercourse as shown on the Ordnance Survey map should be given if known, (many minor watercourses are unnamed). The location of the proposed works should indicate the nearest town/village, the address of the site or sufficient description to enable the Site to be identified easily. The OS Grid Reference should include two prefix letters. (indicated in the corner of OS maps) followed by eastings and northings eg: SK 123 456.

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

It is important to accurately describe the proposal(s) for which application is being made on the Application Form. State the purpose of the works.

#### **Description and Numbers of Plans and Sections Submitted**

If you include a drawing which has been prepared for some other purpose it is requested that those items for which consent is being sought should be highlighted in colour. **Three copies** of all relevant drawings are required. The drawings should not be larger than A0 size and should include :-

**(a) Location Plan**

This should be based on an Ordnance Survey map if possible and should show clearly the general geographic location of the Site where the works are to be constructed.

**(b) Site Plan**

This should be drawn to scale which must be clearly stated. Ordnance Survey maps or engineering drawings to a scale of 1:1250 or larger are recommended.

**(c) Detailed Drawings (Plans and Sections)**

Provision of the following details will assist in the determination of your Application:

- \* Plan(s) and cross section(s) showing details of existing and proposed features. Cross sections should be drawn looking downstream on the watercourse where appropriate.
- \* 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.

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#### **4. HOW TO OBTAIN CONSENT**

When you have fully completed your Application Form, please send it with supporting documents to the Board's Office.

#### **5. DETERMINATION**

Upon receipt of an Application, the Board has two months in which to grant or refuse consent. Such consent shall not be unreasonably withheld.

The granting of consent should not be regarded by the Applicant as in any way approving the design and soundness of the proposed structure other than in relation to its impact on flows and its effects in the watercourse and its floodplain.

#### **6. RIGHT OF APPEAL**

If you believe that consent has been unreasonably withheld or conditions unreasonably imposed then you have a right to appeal.

#### **7. FURTHER INFORMATION**

If you are in any doubt about whether you need to apply for a consent, how to complete the Application Forms or any other aspect of your application, please contact the Board.

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#### **Internal Drainage Board Byelaws**

Part V. Section 66 (1) of the Land Drainage Act 1991 provides:

Subject to the following provisions of this section and to any other enactment contained in this Act an Internal Drainage Board, Local Authority or County Council, may make such Byelaws as they consider necessary for securing the efficient working of the drainage system in their district or area.

Section 23 (LDA91) relates to an ordinary watercourse (other than main river). Copies of the Byelaws can be obtained from the Drainage Board's Office.

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