



Environment Act 1995  
 Land Drainage Act 1991 – Sections 17 or 23  
 Water Resources Act 1991 – Section 109  
 Flood Defence (Land Drainage) Byelaws/ Sea Defence Byelaws  
 Highways Act 1980  
 Flood and Water Management Act 2010

**Before completing this form we recommend you contact us for advice on your proposal as consent may not be required.**

**CONTACT: 01793 466338 or Email: LLFA@swindon.gov.uk**

## APPLICATION FOR CONSENT FOR WORKS AFFECTING WATERCOURSES AND/ OR FLOOD DEFENCES

**IMPORTANT NOTE.** We ask you to read this form and notes before you fill it in. Please take care in answering the questions. If the form is fully and accurately completed, it will help us process your application quickly. If you have any queries, please ask us.

**Please complete the form in block letters.**

### 1 APPLICANT

NAME		<i>Please state if Landowner or Interested Party: What is your Interest in the Land?</i>	
TELEPHONE NO. (Office hours):		POSTAL ADDRESS:	
TELEPHONE NO. (Out of hours):			
EMAIL ADDRESS:		POST CODE:	

**Note: Please state person or organisation responsible for maintaining Structure During Construction and Upon Completion**

### 2 AGENT / CONSULTANT / CONTRACTOR

**(Correspondence will be sent to this contact unless specified otherwise)**

COMPANY NAME:		Please state role:	
CONTACT: (PERSON DEALING WITH APPLICATION)		POSTAL ADDRESS:	
TELEPHONE NO.:			
EMAIL ADDRESS:		POST CODE:	

### 3 LOCATION

OS GRID REFERENCE: <i>e.g. 325154,673515 or e.g. NT 25142 73531</i>	
LOCATION OF PROPOSED WORKS: <i>Please include nearest access</i>	
NAME OF RIVER/ WATERCOURSE (If known):	
<i>Please indicate if planning permission has been obtained and the reference, or if you are intending to apply</i>	
CONSERVATION OR OTHER DESIGNATIONS <i>For example SSSI. Please note we may have to consult other bodies for their opinion on works in these areas.</i>	

### 4 DESCRIPTION AND PURPOSE OF PROPOSED WORKS

Purpose of works <i>For example: access, flood risk improvement, environmental enhancement work, or other reason)</i>	
Description of works (Please include the number of structures) <i>For example: Please list any works in, over or under a main river, (type in your postcode on our 'flood map' on our website to locate 'main rivers') or ground-level raising within the floodplain, and any impoundment or culverting on an ordinary watercourse. If you are unsure please contact us.</i>	
Permanent Structures being constructed or altered:	
Please also state any Temporary structures (for example enabling works and their start date and duration).	
State the total number of consentable items of work you are applying for (temporary and permanent)	

## 5 DETAILS OF ALL SURVEYS, PLANS AND SECTIONS SUBMITTED

Title	Plan Number or Reference	Revision
Location Plan or Sketch ( <i>with clear measurements or scale</i> )		
Cross section ( <i>required for any proposed works in channel</i> )		
Surveys and date undertaken <i>For Example: Ecological surveys to determine presence of protected species e.g. water voles, crayfish and bats. These may be required before consent can be granted, in order that appropriate mitigation can be provided, if they are likely to be affected.</i>		
Photos ( <i>are very useful to establish a quick and clear understanding of the site</i> )		

## 6 BRIEF DETAILS OF ENVIRONMENTAL IMPACT OF WORKS (WATER FRAMEWORK DIRECTIVE 2003)

*For example: Pollution risks, impact on flows in watercourse or removal of habitat.*

**Do the proposed works involve or affect the following?**

**Impounding (holding back a watercourse), Abstracting (removing) water, Fish or Fisheries, Disposing of Waste Material or Discharging of water?**

**If YES, please contact the Environment Agency on 03708 506 506.**

## 7 PROPOSALS FOR AMELIORATION AND/ OR COMPENSATORY ENHANCEMENT

*For example please include in your method statement (Emergency plan in a flood event, pollution control measures, habitat creation/replacement, or other to reduce impact or provide betterment).*

## 8 REGISTER UPDATE, OWNERSHIP DETAIL AND MAINTENANCE RESPONSIBILITIES/REGIMES

Please complete the boxes below, for the purposes of the Swindon Borough Councils Register of Structures and Features (s.21 FWMA 2010):

1. On completion of any works gaining consent, Ownership of all respective structures/features will need to be provided.	
2. All Structures or Features will be required to have maintenance regimes in place for all requested consents. Provide full details of person/s responsible for ensuring compliance including full contact details with a 24hour telephone number.	
3. Where applicable what is the maximum volume of the Structure/Feature?	
4. Where applicable Weir Levels will be required (measured in meters AOD to two decimal points).	
5. Where applicable Invert levels will be required (measured in meters AOD to two decimal points).	
6. Text description of shape for the Structure or Feature.	
7. Provide dimensions for Height, length, diameter, depth (measured in meters AOD to two decimal points).	
8. Provide Description/Details of the Structures or Features Principal Materials.	
9. Description of Control Features associated with the structure or feature.	
10. If Structure or Feature requires mechanical assistance, provide details eg Diesel, Electric.	
11. If the Structure or Feature has a power supply, is it a mains power supply? Please enter YES or NO.	
12. Does the Structure or Feature have an emergency source of power generation? Please enter YES or NO and provide the independent time period.	

13. Does the structure or feature have telemetry? Please enter YES or NO.	
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## 9 DECLARATION

I/We

- 1 Apply for consent to carry out works as described in this application form and on the attached plan(s)
- 2 A fee may be payable to cover our costs for examining the proposals. The fee is £50 per structure (including temporary structures) in over or under a Watercourse, or culverting and damming a Watercourse. Value Added Tax is not applicable.

Enclose a cheque for £\_\_\_\_\_ to cover the cost of this application.  
(Cheques should be made payable to "Swindon Borough Council") or contact us [LLFA@swindon.gov.uk](mailto:LLFA@swindon.gov.uk) at to create an online payment form.

- 3 If submitting application in hard copy, enclose **2 copies** to show clearly the location of the proposed works together with **2 copies** of plans and sections showing detail of the proposed works to a scale appropriate to the nature of the works and any relevant calculations.

Name:

Signed

On

Date:

**Please send this form with all plans, sections, and survey and fee to the Swindon Borough Council: SERVICE DELIVERY, FLOOD RISK MANAGEMENT, HIGHWAY INFRASTRUCTURE ASSET MANAGEMENT.**

**EMAIL:** [LLFA@swindon.gov.uk](mailto:LLFA@swindon.gov.uk)

**TELEPHONE:** 01793 466338

**POSTAL ADDRESS:**

Swindon Borough Council  
Wat Tyler House  
Beckhampton Street  
Swindon  
SN1 2JH

**Tel:-** 01793 463000

**DX:-** 133055 Swindon 16

**Mincom:-** 01793 436659

### **Determination of Application**

Upon receipt of an application the Lead Local Flood Risk Authority has **two months** in which to grant or refuse consent. Such consent shall not be unreasonably withheld.

### **Additional Notes**

<b>Data Protection Act 2018</b>
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The information provided by yourselves will be processed by the Local Authority to deal with your application and to monitor compliance with the licence/permit/registration conditions.

We may also process and/or disclose it in connection with the following:

- offering/providing you with our literature/services relating to environmental matters;
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive Environment Agency, Emergency Services, DEFRA) on environmental issues;
- carrying out statistical analysis, research and development on environmental issues;
- investigating possible breaches of environmental law and taking any resulting action;
- preventing breaches of environmental law;
- assessing customer service satisfaction and improving our service; and
- responding to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, where the Data Protection Act allows.

We may pass it on to our agents/representatives to do these things on our behalf.

**Applicant's responsibilities.** The Applicant is responsible for ensuring any works are undertaken in accordance with the consent, and should ensure any Contractor engaged to carry out the works is fully aware of the Consent and its conditions. More on your rights and responsibilities can be found on the government website at;  
<https://www.gov.uk/guidance/owning-a-watercourse>

**Advice for contractors.** Applicants and those working on their behalf should familiarise themselves with the 'Agency's guide for contractors working on or near a watercourse'. This provides practical advice on how to safeguard the aquatic environment, which could be used when devising the method statement and/or ensuring compliance with the Conditions of this consent. Copies are available on request.

**Protected species.** Please note that applicants should be aware that the following species are often associated with watercourses and are protected from disturbance by current UK and/or European legislation. Their disturbance may constitute an offence unless appropriate mitigation and/or licencing is in place before works commence:

- Water-voles (and their burrows),
- bats (and their roosts),
- otters (and their holts and resting sites),
- spawning fish (and their eggs and spawning habitat),
- & nesting birds.

NB. This list is not exhaustive and applicants are advised to consult a suitably experienced ecologist for further information and advice to ensure that an offence is not committed. The Environment Agency's Conservation Team or staff from Natural England are also available to give you further advice if needed.

**You may require other consents and approvals from the Environment Agency, Natural England and or other bodies.** You should investigate whether any of these permissions are required before commencing any work on the ground. Works should not commence until such times as the appropriate permission is granted.

- The impoundment of a watercourse, may require an impoundment licence.
- Abstraction from a watercourse may also require an Abstraction Licence
- Discharge of trade effluent may require a discharge Licence.
- Disposal of any spoil may require a waste permit or exemption.
- Planning permission may be required from the Local Planning Authority.

**Failure to apply for consent.** Under Section 23 (LDA91) if works are executed without first obtaining a formal written consent from us we have the power to serve a notice under Section 24 (LDA91) requiring you to abate the nuisance within a specified time. Should you fail to comply with the notice then we can take the matter to Court. Whether or not you are taken to Court, steps may be taken to abate the nuisance and recover from you the expenses so incurred. Under Section 109 (WRA91) the Authority may remove, alter or pull down any unauthorised work and recover from you the expenses incurred in the process.