

Wrexham Lead Local Flood Authority (LLFA) Ordinary Watercourse Consent

Land Drainage Act 1991(Amended by Floods and Water Management Act 2010)

Name:

Mr Andrew Davies

S G Estates Ltd

Unit 1

Rhosddu Industrial Estate

Old Rhosrobin

Wrexham

LL11 4YL

Consent applying to:

Land off Wrexham Road, Rhostyllen, LL14 4DN

Installation of pre cast concrete headwall for a 300 mm diameter surface water outfall sewer. The headwall to be covered by a S104 Agreement and will be adopted by Welsh Water.

Consent Number:

WCBC OWC 0000 4801

Effective from:

27/2/23

Consent Expires:

27/02/26

Introduction

This Note does not form part of the Certificate of Authorisation.

Wrexham Lead Local Flood Authority (LLFA) Ordinary Watercourse Consents are required by virtue of the Land Drainage Act 1991 .(Amended by Floods and Water Management Act 2010)The following activities on an Ordinary (non-main) Watercourse require Lead Local Flood Authority Consent:

Under Section 23 of the Land Drainage Act 1991. (Amended by Floods and Water Management Act 2010)

- the erection or alteration of any mill dam, weir or other like obstruction to the flow of any watercourse
- the erection or alteration of any culvert that would be likely to affect the flow of any watercourse

Under Sections 17 and 20(2) of the Land Drainage Act 1991 (Amended by Floods and Water Management Act 2010)

- Any drainage works carried out by a local authority against flooding in connection with any watercourse

Under Section 61F Land Drainage Act 1991 . (Amended by Floods and Water Management Act 2010) (Inserted by Schedule 22 Environment Act 1995)

- The operation of any drainage works, under the control of any Internal Drainage Board or local authority, so as to manage the level of water in a watercourse for the purposes of facilitating spray irrigation.

Note: Consent under the above legislation is required irrespective of whether the works are permanent or temporary.

Contraventions

In relation to Ordinary Watercourses, the Wrexham Lead Local Flood Authority (LLFA) can under Section 24 of the Land Drainage Act 1991(Amended by Floods and Water Management Act 2010)serve a legal notice requiring the person to abate the nuisance within a specified time. Failure to abide by such a notice can result in the Wrexham Lead Local Flood Authority (LLFA) carrying out the necessary remedial work and seeking to recover costs.

Land Drainage Act 1991. (Amended by Floods and Water Management Act 2010)

Ordinary Watercourse Consent

Control of works affecting watercourses and/or flood defences

Consent number WCBC OWC 0000 4081

To: Mr Andrew Davies

The Wrexham Local Lead Flood Authority (LLFA) in exercise of its powers under **Section 23** of the Land Drainage Act 1991 (**Amended by Floods and Water Management Act 2010**) and subject to the conditions attached hereby grants its consent in relation to the works or operations described in this Consent.

Watercourse: Glanyrafon Brook

Location: Land off Wrexham Road, Rhostyllen, Wrexham LL14 4DN

Map reference: 331606 348440

Description of works: Construction of concrete headwall for a 300mm diameter surface water sewer.

As detailed on plans and sections

Drawing No 22094/106/1 Rev F

Drawing No 22094/106/2 Rev F

Drawing No 22094/106/3 Rev F

Detailed drawings H3C Detail 1 of 3

Detailed drawing H3C Headwall lifting diagram

Method Statement Ref To be provided by applicant on appointment of a contractor

The does not accept any responsibility for the design and construction of the works referred hereto and any liability for any loss or damage which may arise out of their design, construction, maintenance or use.
This Consent shall come into effect on

Date: 27/2/23



Signed on behalf of the Wrexham Local Lead Flood Authority (LLFA)

Kevin Edwards

Contracts and Engineering Manager.

Date of signing 27/2/23

Application Summary:
No additional comments.

Conditions

A. General

- 1 All reasonable care should be taken to ensure that the watercourse is kept free of foreign matter and floating debris during the construction period and on completion.
- 2 Works should be carried out in such a way as to ensure minimum obstruction to flows in the watercourse at all times.
- 3 These works should be carried out in such a way as to minimise disturbance to the existing banks and bed of the watercourse.
- 4 On completion of the works all debris and surplus material shall be removed from the banks of the watercourse. The bed and banks of the watercourse which are disturbed by the works, shall be reinstated to the satisfaction of the LLFA officer.
- 5 The LLFA does not accept any responsibility for the design and construction of works that are subject of this consenting and any liability for any loss or damage which may arise out of their design, construction, maintenance or use.
- 6 It is the grantee's responsibility to ensure they obtain the consent/permission of any landowners and occupiers affected by the works
- 7 This consent does not remove from the applicant the necessity to obtain other licences, consents, approvals or permissions (including planning permission) which may be required in law or in order to comply with any duties or responsibilities for conservation or protection of the environment.
- 8 The consent does not confer any rights over entry to property.

B. Timing

- 9 The construction of the works described in this consent must be completed within 3 years from the date of issue of this consent. Works not completed within this time, additional works and/or amendments will require a new consent.
- 10 At least 14 working days' prior written notice of commencement of the works and written notification of completion must be given to LLFA.

C. Temporary/construction/completion of works

- 11 Taking all reasonable precautions during the undertaking of the works so as to not obstruct, impede or interfere with the flow of the water in, into or out of the watercourse and not to damage the banks or bed or any drainage works without the approval of the LLFA
- 12 Works must be undertaken fully in accordance with PPG5, the pollution prevention guidelines on works or maintenance in or near water. Available via this link: <http://publications.environment-agency.gov.uk/PDF/PMHO1107BNKG-E-E.pdf> These guidelines are important and comprehensive and should be studied carefully by those contemplating works.

- 13 Should any pollution problems occur on site Natural Resource Wales must be informed immediately on 0800 807060 and the LLFA also informed.
- 14 Wet concrete must not be released into the watercourse because of the adverse impact upon fish.
- 15 Any landscaping of banks must be restricted to native species only.
- 16 No excavated material or debris arising from the construction of the works shall be disposed of on the site or the flood plain without the prior approval of the LLFA.
- 17 Upon completion of the works all debris and surplus materials must be removed from the site of the works and the banks left in a stable condition.
- 18 The banks and / or the bed of the watercourse where disturbed shall be restored to the reasonable satisfaction of the LLFA.
- 19 Notice in writing must be given immediately by the applicant to the LLFA upon completion of the works.

D. Site Specific

- 20 The works proposed shall only be carried out in accordance with the method statement detailed on the decision notice.

Other Information

- 21 This Note does not form part of the Certificate of Authorisation. This Consent does not free you from the need to obtain other licences, consents, approvals (including bye-law consents) or permissions (including planning permission) which may be required in law or in order to comply with any duties or responsibilities for conservation or protection of the environment. In addition you should ensure that you obtain the consent of any owners or occupiers of land if necessary. This Consent does not confer any rights of entry rights over property.
You should ensure that the works are carried out in a proper manner so as not to adversely affect the watercourse. A copy of the Special Requirements issued by the Environment Agency is available upon request. Work should be completed as quickly as possible once started. The responsibility to ascertain the location of any services, which may be affected by the proposed works, lies solely with the Applicant/Agent. Warning signs should be positioned locally to inform Anglers and Plant Operators of overhead power lines.
You are advised to contact the County Planning Department to check whether planning permission is required for the removal of sand, gravel or other minerals, prior to commencement of any works.
Any future remedial work necessary, as a result of the Applicant's proposals, shall be undertaken at the Applicant's expense and carried out to the Agency's satisfaction.
The above information must be brought to the attention of your contractor.
- 22 You are reminded that it is an offence under Regulation 38(1)(a) of the Environmental Permitting Regulations 2010 to cause or knowingly permit any poisonous, noxious or polluting matter or any solid waste matter to enter any controlled waters. Care must be taken to ensure that neither the watercourse nor groundwater become polluted, particularly by, for example diesel fuel, petrol and oil from machinery. All fuels, oils and chemicals must be stored securely and any large containers left on site must be banded. Care should also be taken when filling machinery to ensure that diesel/petrol/oil is not spilt on the ground as this could lead to pollution of the watercourse or groundwater by migration or direct run off. Spillages must not be washed away, but absorbed by some medium and then removed from site to a

suitable licensed waste facility. Any such incidents must be reported to the Environment Agency immediately (Emergency Tel No 0800 807060). Copies of the Agency's Pollution Prevention Guidelines (PPG5) and (PPG6) are either attached for your information or if not available upon request.

All excavation and other works must be carried out in a carefully controlled manner that will not result in water pollution. In particular, the applicant should endeavour to minimise disturbance of the watercourses involved in these proposals. An appropriate system located downstream of the works, should also be considered, in order to reduce the amount of suspended sediment.

In-river vehicle tracking should be kept to an absolute minimum.

Any waste generated in the course of the works must be disposed of in accordance with the provision of the Environmental Protection Act 1990. Persons carrying waste are required by law to register with the Environment Agency as a Waste Carrier (subject to certain exceptions)

The deposit, keeping, treating or disposal of waste should only take place at premises licensed by the Environment Agency to receive the waste (subject to certain exceptions and exemptions)

The Environmental Protection Act 1990 imposes a Duty of Care on waste producers, which requires you to take all reasonable steps to keep waste safe. If you give waste to someone else, you must be sure they are authorised to take it and can transport, re-cycle, or dispose of it legally. When you give waste to someone else, details of the transfer of waste should be described on a document called a Duty of Care Transfer Note.

If the waste contains one or more properties that are hazardous to health or the environment, the waste will be classed as 'Hazardous Waste' as defined in the Hazardous Waste Regulations 2005. These Regulations place specific Requirement's on the producer and carrier of such waste. Further information can be found on the Agency's website (www.environment-agency.gov.uk) or by contacting the National Customer Contact Centre on 08708 506506.

The activity of importing waste into the site for use as part of the construction process, for example hardcore, must be registered by Environment Agency Wales. as an exempt activity under the Waste Management Licencing Regulations 1994.

- 23 If you believe that conditions have been unreasonably imposed then you have a right of appeal.

Further advice regarding the appeal procedure or any other aspect of this consent can be obtained from your LLFA office.

