



Guidance Notes: Preparation of Ordinary Watercourse Method Statement

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. A Method Statement should be prepared in conjunction with the application for Ordinary Watercourse Land Drainage Consent to detail the scope of the works to be undertaken.

Before completing the application form and method statement you are recommended to contact us for advice on your proposal. Please follow this guidance to help avoid delays in your application.

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1.0 Introduction

Please read through the guidance notes carefully before you complete the method statement.

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.

These guidance notes give you information to help you file a competent method statement in conjunction with an application for Ordinary Watercourse Land Drainage Consent.

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Email: floodteam@derbyshire.gov.uk

There is a charge of £50 for each structure or operation for applications made under the Land Drainage Act.

2.0 The Scope of Work(s)

All applicants must fill in this section. Applicants should provide a brief paragraph outlining the scope and intended aims of the work to be undertaken. The scope of works should be brief and detail the main aspects of the work proposed. For example, the Scope of Works may resemble the following statement:

E.g. The basic scope of works is the undertaking of grit blasting and painting, including access and encapsulation, of the 400mm gas pipes located off Chesterfield Road and Holm Lane. Access to the pipes will be gained through the erection of temporary scaffolding with the total project time estimated to be 1-2 weeks.

3.0 Contractors

Where applicable, applicants should detail information of the contractor(s) undertaking the proposed scope of works where it is considered appropriate. If you are an individual, please skip to section 4.0.

4.0 Programme of Works and Specification

In general terms, the level of detail required within the Programme of Works should adequately reflect the nature, scale, timeframe and site-specific details of the work to be undertaken.

However, for all applicants, it is important that you accurately describe the proposals for the application being made whilst outlining the purpose of the works and the number of structures you need consent for. Please also detail the anticipated start and finish date of the works undertaken whilst also stating whether any completed structures and / or maintenance infrastructure required are permanent or temporary in nature. In addition, and where applicable, applicants should state all relevant machinery and / or infrastructure required for the undertaking of the task outlined within the Scope of Works. Consideration should be given to the availability of access to and from the location of work and to any structures under maintenance. Again, where applicable, the applicant should address the storage and distribution of any site materials / machinery for the purpose of minimising the risk of release of pollutants to the ground and / or nearby watercourses.

5.0 Environmental Hazards

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. Failure to mitigate all the likely effects may result in your application being delayed or refused. All applicants should therefore consider the potential impacts to the watercourse and the surrounding environment. Further advice on undertaking a Risk Assessment/Appraisal for an Environmental Permit can be found on the following link below, which takes you to the Environment Agencies guidance;

<https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit>

6.0 Emergency Mitigation

Where applicable, applicants should provide an incident response plan. The plan should reflect the scale and nature of the works and clearly define the procedures to be undertaken in response to an environmental spill.

7.0 Flood Risk Assessment

Applicants should consider and assess how the scope of the works, and any temporary or permanent infrastructure / machinery associated with the works, may impact upon the short and long term flood risk to the immediate site and in the upstream and downstream profile. For example, applicants should consider whether or not the works is likely to significantly impact upon the available channel area and the conveyance of flow within the watercourse. Where work is to be undertaken over a period of 6 months, applicants should bear in mind that flow capacity and flow conveyance within the channel is subject to change due to hydrological variance, climatic changes and seasonal variations in vegetation.

8.0 Ecological Assessment

Applicants should fully consider how the scope of the works and the method of working may directly impact upon the habitat and ecosystems of protected species. Mitigation measures should be assessed to negate the risk to protected species and, where possible, provide working conditions that do not significantly alter the condition of the surrounding environment during or following the completion of the scope of works. In general, applicants should be mindful of the following conditions when applying for consent:

- The damming and / or temporary diversion of a watercourse can significantly impact upon the migration of fish within the watercourse. Temporary and permanent passes for fish should be assessed where applicable in these cases.
- The abstraction, pumping and diversion of significant amounts of channel flow can impact upon local species and aquatic flora which may rely on seasonal variations in water depth.
- Dredging and de-silting works can significantly increase the sediment load of the channel flow and increase the turbidity of the water (thereby decreasing the ability of light to penetrate through water). This may impact upon local species, flora and fauna by impacting upon availability of light and may also mobilise settled pollutants from the bed of the watercourse.
- Culverting and lining works involving the removal of naturally vegetated bank areas can directly impact upon the habitat and ecosystems of species within the local environment. The gaining of access to and from the location of works may also significantly impact upon local habitats.
- Working hours, where possible, should be kept to daylight hours, to minimise the impact upon the activities of nocturnal species within the watercourse environment.

In certain cases, where works are to be permanent in nature and are considered to

significantly impact upon the surrounding environment and ecology, further reporting, in the form of ecological assessments, may be required to be undertaken as a pre-condition to the application process. Failure to mitigate all the likely effects may result in your application being delayed or refused.

9.0 Water Framework Directive

The Water Framework Directive (WFD) is a European Union (EU) directive and became part of UK law in December 2003. The main aim of the WFD is to achieve *good ecological status* in all surface water bodies by 2015. The WFD also aims to prevent deterioration in the ecological and chemical status of all surface and groundwater bodies.

You may need to carry out a full WFD Assessment to assess the impacts of the proposed works. A WFD Assessment will assess the impacts of the proposed works on the watercourse, in relation to its ecological and chemical status/potential. No deterioration to the current status/potential of the waterbody is permitted and improvements may be able to be delivered in tandem with the works that you are proposing. For example delivery of wider statutory requirements, such as the objectives of the local River Basin Management Plan (RBMP).

For any queries relating to the WFD Assessment please contact the Flood Team.

10.0 Next steps

Please return your completed method statement in conjunction with the 'Application for Ordinary Watercourse Land Drainage Consent' forms and any supporting documents to:

Derbyshire County Council
Flood Risk Management Team Environmental Services Department
County Hall
Matlock
Derbyshire
DE4 3AG

Or flood.team@derbyshire.gov.uk

If you need help providing a method statement, please contact the person who sent it to you or contact us as shown below.

Telephone: (01629) 535487

Email: flood.team@derbyshire.gov.uk

Website: www.derbyshire.gov.uk

Derbyshire County Council
Flood Risk Management Team
County Hall, Matlock, Derbyshire, DE4 3AG
Call Derbyshire: (01629) 533190
Email: flood.team@derbyshire.gov.uk