

LINDSEY MARSH DRAINAGE BOARD

Information to assist in the completion of the application form requesting consent to culvert, bridge or backfill a watercourse

1. The Land Drainage Act 1991 Section 23 and the Board's Byelaw No. 6 state that any person wishing to alter the flow in any watercourse or raise any obstruction to the flow of the watercourse must first obtain the consent of the drainage authority.
2. An application form should be completed as soon as possible and returned to the Board's offices together with a payment of £50.
3. If you have any difficulties completing the form, please do not hesitate to contact the Board's Engineer.
4. Plans to be submitted with the application form:-
 - Longitudinal section drawing of watercourse to a recognised scale and datum indicating bank and bed levels downstream and upstream of the proposed site including all details of existing structures.
 - Cross section drawing to a recognised scale and datum including the dimensions of the watercourse at the proposed site.
 - 1/2500 site plan showing the exact location of the site.
 - Small scale map (i.e. 1/10,000 or 1/50,000 showing the catchment area draining to the watercourse at the application site).
 - Construction details of pipes, backfilling, headwalls, manholes etc as applicable. Standard details are available from the Engineering Department on request.
5. The Board also require an environmental appraisal to ensure that the proposals are compliant with legislation and government policy. The Board will expect evidence that you have considered and where appropriate provided the following information:-
 - Details of any statutory protected sites, that may be affected by the proposals.
 - Presence of species protected by legislation.
 - Proposals to ensure compliance with the legislation on protected species including minimising disturbance to the species and their locale.
 - Loss of habitat, particularly habitats included in Biodiversity Action Plans.
 - Proposals for the replacement of lost habitat.

The consent of Natural England will be required if the proposals affect statutory protected sites. This may affect the time the Board requires to determine the application (see section 7 of this note).

6. On receipt of your completed application form the proposed works will be considered by the Board's engineering section. If it is considered that the proposed standard of construction does not meet the Board's specification or the size of culvert is inadequate, the application form will be returned to you. Should you wish to re-submit your application form a note of the required specification or culvert size will be enclosed with the returned application form.
7. If you have not received the decision of the Board in writing within 2 months from the date of receipt of your completed and accepted application you are deemed to have consent to carry out your proposals.
8. The Board reserves at all times the right to refuse any application and the fee will not be refunded. Reasons for refusal can be obtained from the Board's Engineer.
9. Where consent has been granted the Board will require notice of the date on which work is due to commence. This will give the Board opportunity to inspect the work should it be deemed appropriate.
10. It should be noted that consent under Section 23 of the Land Drainage Act 1991 does not give you any rights to interfere with any property not owned by you. It is your responsibility to ensure that the watercourse you propose to culvert or fill is wholly in your ownership or that you have the agreement of the owner or owners. The Board may require written evidence that you have obtained all other consents necessary.
11. The Board's consent will not dispense with the need to obtain any other permissions which may be required from any other persons or other statutory authorities.
12. Work must not be commenced until formal consent has been received from the Board.