DANVM DRAINAGE COMMISSIONERS

A member of the Shire Group of Internal Drainage Boards

Our Ref: PJ/Danvm(6)

8th July 2013

Aldi Stores Limited
c/o DSP Construction Management Ltd.
Holly Lane
Atherstone
Warwickshire
CV9 2SQ

Dear Sirs,

Permanent Works Consent for GATED ACCESS ASIDE WATERCOURSE, COMMERCIAL ROAD, GOLDTHORPE

We refer to the Application for Works within the Drainage District and enclose the formal consent.

We would note that access along Highgate Lane Drain would be required on the northern part of the watercourse to the west of the site and depending on final site levels a ramp may be required from the car parking area into southern part of the watercourse to the west of the site.

Please note that conditions may be imposed with the consent and those ***conditions must be discharged in writing*** (with evidence where necessary) to the Risk Management Authority ***before the start works***. Upon receiving a request to discharge conditions of consent we will endeavour to respond, or determine the condition, ***within ten working days*** depending on complexity of the condition.

Every person who acts in contravention of, or fails to comply with, any notice served under Section 24 LDA or Byelaws under Section 66 LDA shall be guilty of an office and liable, on summary conviction to such fines as prescribed within Section 24(3) and Section 66(6) LDA.

If you have any queries please do not hesitate to contact Paul Jones by letter, email or telephone, quoting our reference on all correspondence.

Yours faithfully,
For and on behalf of the Danvm Drainage Commissioners,

Paul Jones
BSc (Hons) MSc (Eng)
Senior Engineer to the Shire Group of Internal Drainage Boards
paul.jones@shiregroup-idbs.gov.uk

Enc. Land Drainage Act 1991 Section 23 and Section 66 (Drainage Byelaws) Consent

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Clerk and Engineer to
Ancholme IDB
Black Drain DB
Danvm Drainage Commissioners
Doncaster East IDB
Goole Fields District DB
Reedness and Swinefleet DB
Sow and Penk IDB

Clerk to
Scunthorpe & Gainsborough WMB

Engineer to
Selby Area IDB
Swale and Ure DB

The Shire Group of
Internal Drainage Boards
is managed by JBA Consulting

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DANVM DRAINAGE COMMISSIONERS

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Our Reference: PJ/Danvm. (6)

Aldi Stores Limited c/o DSP Construction Management Ltd.
Holly Lane
Atherstone
Warwickshire
CV9 2SQ

CONSENT FOR PERMANENT WORKS

PROPOSAL: GATED ACCESS ASIDE WATERCOURSE

LOCATION: HIGHGATE LANE DRAIN, COMMERCIAL ROAD, GOLDTHORPE

The **DANVM DRAINAGE COMMISSIONERS**, in the pursuance of their powers under Section 23 and Section 66 of the Land Drainage Act 1991 (as amended) **HEREBY CONSENT** to the execution and completion of **PERMANENT** works in accordance with the Application subject to the following conditions.

1. The works shall be completed within 12 months from the date of this notice.
2. 7 days notice of the start of works shall be provided to the Board.
3. 2no. copies of the key for access shall be provided to the IDB.
4. No damage to banks shall be permitted as a result of the works.
5. A minimum clear opening of 4 metres shall be provided.
6. The works shall comply with the Pollution Prevention Guidelines.
7. Ownership and responsibility for maintenance, repair and eventual replacement will remain with the owners or successors in title.
8. The Drainage Board will not be held responsible for third party losses or disturbance, now or in the future, considered to be as a result of work included in this consent.

The Board, by granting Consent under the Land Drainage Act 1991 (as amended) for these works accepts no liability for any loss or damage which may arise out of design, construction, maintenance or use.

Your attention is drawn to the notes and requirements attached.

Dated this 8th Day of July 2013

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JBA Consulting - Clerk and Engineer to the Board

Any enquiries relating to the consent should be made to the Drainage Board.
Contact: Mr P Jones on the above telephone number

LAND DRAINAGE ACT 1991

CONSENT FOR WORKS AFFECTING A WATERCOURSE

- NOTES FOR APPLICANTS -

Byelaw Requirements

Consent for the works does not give exemption from the requirements of the Act or of the Drainage Board's Bye-Laws beyond what is specifically Consented, nor does it include any temporary works which may be required to carry out the Consented works.

A copy of the Bye-Laws may be obtained from the Engineer on request, but where the works have no exceptional features, it will suffice if the following guidelines are followed.

(1) No material intended for or arising from the works and no equipment or other item for use in executing the works should be stored or disposed of:-

(a) in the watercourse,

or

(b) in a position where it may fall or be washed into the watercourse.

Any such material, equipment or other item in the watercourse should be removed immediately.

(2) At all times during the course of the works the bank and any floodbank and foreshore of the watercourse should be kept clear of any such material, equipment and other item unless actually in use.

(3) All surplus materials and all plant and equipment must be cleared from the site to the approval of the Engineer by the date specified for the completion of the works.

Specification - General

(4) The width between the banks of the watercourse shall not be diminished except with the prior written approval of the Engineer.

(5) At all times during the course of the works the existing bank and any floodbank of the watercourse shall be preserved, or an adequate alternative flood barrier shall be provided and maintained to the full height of the bank and existing floodbank until the original bank and floodbank have been reinstated to the written approval of the Engineer.

(6) If the execution of the works requires passage on to or over a floodbank of the watercourse, proper means for such a passage shall be provided by forming a ramp or ramps of easy gradient, surfaced with stone or other suitable material. Any such ramp shall be removed on completion of the works. The level of the floodbank crest must not be reduced.

(7) Every part of the banks and channel of the watercourse which has been affected by the works shall be reinstated by replacement of top soil and re-seeding or by turf or stone pitching to prevent scour to the approval of the Engineer.

Procedures

(8) The work must be completed within the time specified in the Consent.

(9) Written notice must be given to the Engineer (preferably at least 7 days) before work starts.

Other Approvals Required

(10) Any planning or other permission required for the works must be obtained by the applicant.

(11) Consent by the Board will not authorise any obstruction or interference with a right of way, whether public or private. Approval for doing so must be obtained by the applicant from The Highways Authority or from the private owner or occupier affected as the case may be.

(12) The Consent relates to the flood defence aspects of the proposed works. In the case of a proposed discharge to the watercourse, Consent is required from the Environment Agency under the Water Act 1989. Any alteration of a mill, dam, weir or other like obstruction to flow in any watercourse, or any impounding works, Consent may also be required from the Environment Agency under the Water Resources Act 1991 : Section 25.

(13) The applicant must make his own arrangements with any owner or occupier of land which may be affected by the works.

(14) In the case of the construction or alteration of a culvert, the Consent of the District Council in whose area the works lie is also required under Section 263 of the Public Health Act 1939.

(15) The provisions of the Salmon and Freshwater Fisheries Act 1975 and the provisions of the Water Resources Act 1991 relating to Fisheries may also apply.