



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

CHERWELL DISTRICT COUNCIL
Working in partnership with



**OXFORDSHIRE
COUNTY COUNCIL**
www.oxfordshire.gov.uk

Ordinary Watercourse Land Drainage Consent

Land Drainage Act 1991

Name

Eurogarages

Agent

Curtins
78/80 East Street
Leeds
LS8 9EE

Consent applying to:

Diversion/culverting of ordinary watercourses to accommodate Unit A, off A361, Junction 11 M40, Banbury

Consent Number

21/00036/LD

Effective from

5 February 2021

INTRODUCTION

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

Cherwell District Council/Oxfordshire County Council Land Drainage Consents are required by virtue of the Land Drainage Act 1991. The following activities on an Ordinary (non-main) Watercourse require Local Authority Consent:

under Section 23 of the Land Drainage Act 1991

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

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

under Section 61F Land Drainage Act 1991 (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 Agency can under Section 24 of the Land Drainage Act 1991 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 **Cherwell District Council** or **Oxfordshire County Council** carrying out the necessary remedial work and seeking to recover costs.

Land Drainage Act 1991

Land Drainage Consent

Diversion culverting of ordinary watercourses to accommodate Unit A, off A361, Junction 11 M40, Banbury

Consent number: 21/00036/LD

To: Curtins

Cherwell District Council in partnership with Oxfordshire County Council, in exercise of its powers under Section 23 of the Land Drainage Act 1991 and subject to the conditions attached, hereby grants its consent in relation to the works or operations described in this Consent.

Watercourse: Unnamed ordinary watercourse

Location: Off 361 Banbury, OX16 3ED

Map reference - 447114 242266

Description of works relevant to the Consent

Diversion/Culverting of ordinary watercourse

As indicated on drawings nos.:

072305-CUR-00-XX-DR-C-92003-P01_UNIT A Drainage Layout

Cherwell District Council/Oxfordshire County Council do 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 5 February 2021

Signed on behalf of Cherwell District Council


Tony Brummell
Building Control Manager

5 February 2021

Conditions

This consent is granted with the following conditions:

The consent holder is responsible for ensuring that the following conditions are complied with in all respects.

Timing

The date of completion of the consented works should be confirmed to Cherwell on behalf of the Lead Local Flood Authority.

Construction Details

Drawing(s) of the consented structure(s) marked 'As Constructed' should be submitted to Cherwell within one month of completion.

Future Access

The Council shall be afforded access to the structure(s) at all reasonable times for the purpose of inspection.

Inspection / Maintenance / Repair

Shall be the responsibility of the Applicant or the Agent or the Applicant's successors in title

Urgent work found to be required to the structures should be undertaken as soon as practicable and details forwarded to the Council.

Other Information

It is the applicant's responsibility to obtain the permission of any owners or occupiers affected by the works.

This Consent does not confer any rights of entry or rights over property.

The Council does not accept any responsibility for the design and construction of the works described and any liability for any loss or damage which may arise from their provision.

If you consider the conditions to be unreasonable you do have the right to appeal.

This Consent does not remove from the applicant the need to obtain other licences, consents or approvals which may be required related to these proposals.

If you wish to carry out additional works other than those described in this consent, you will need to apply for a separate consent. The prior written agreement of the Council is required prior to the commencement of additional works.