

## Ordinary Watercourse Consent

Under the Flood and Water Management Act 2010 , the responsibility for issuing and enforcing flood defence consents on ordinary watercourses (streams and ditches both natural and manmade and culverts etc), under sections 23 and 24 of the Land Drainage Act 1991, has transferred from the Environment Agency to Wokingham Borough Council (the lead local flood authority). The Environment Agency will continue issuing consents for any work affecting all **main** rivers.

From 6th April 2012, Wokingham Borough Council has responsibility for granting consent for works to ordinary watercourses and can take action against illegal or sub-standard work. This covers works (including temporary works) that affect water flow within the channel of an ordinary watercourse. The Flood and Water Management Act also amended the Land Drainage Act 1991 so that all culverts now require consent before the work is carried out.

Not all works in or around a watercourse require consent as it depends on their impact on flow or potential flows but if in any doubt it is advisable to contact Wokingham Borough Council on 01189 746000 or email [flooding@wokingham.gov.uk](mailto:flooding@wokingham.gov.uk) to discuss the matter. There is a risk that enforcement action may be taken against works carried out without consent which could ultimately lead to a fine. If consent is required there will be a charge for processing the application.

### **Watercourse definitions**

An **ordinary watercourse** is any river, stream, ditch, drain, cut, dyke, sluice, sewer (other than a public sewer) and passage through which water flows and which does not form part of a main river network..

**Main rivers** are usually larger streams and rivers. However, they do include smaller watercourses of local significance. Main rivers are watercourses designated as such on main river maps held by the Environment Agency and are generally the larger arterial watercourses. In the Wokingham Borough Council area these include, The Loddon, Emm Brook, Barkham Brook, Twyford Brook and Blackwater.