



## **MIDDLE LEVEL COMMISSIONERS**

### **Development which restricts Spoil Disposal**

From time to time, the watercourses maintained by the Middle Level Commissioners and their associated internal drainage boards (IDBs) require machine cleansing (dredging) to remove build ups of material which restrict channel flows. This dredged material (spoil) is normally disposed of on to the adjoining land, a practice confirmed by both flood defence and waste management legislation.

However, the impact of certain development proposals on land adjoining such watercourses means that this method of spoil disposal is often restricted or even removed as it no longer remains compatible (in whole or part) with the revised use of the land. Development does not, of course, remove the need to carry out machine cleansing and disposal of spoil and, indeed, development can on occasion increase the necessity for such work, as the value and type of property protected requires increased flood defence activity.

The disposal of spoil other than by way of bankside disposal is heavily regulated under Waste Management legislation, such that any alternative method of disposal, to that of deposit on site would lead to the Commissioners/IDBs incurring substantial additional costs. It is therefore only fair and appropriate that such costs should be borne by those who benefit from the development, which leads to alternative disposal methods having to be employed.

PLEASE NOTE therefore that a charge based on the linear metrage of the development will be applied to all developments (whether requiring planning permission or not) which restrict the ability of the Commissioners/IDBs to deposit dredged material in the normal manner. This is likely, in most cases, to involve developments which are permitted within the statutory byelaw width provided for under the Commissioners'/IDBs' byelaws but confirmation of the position in respect of a proposed development should be obtained from this office.

The current charge per linear metre is shown on our fees document, available on our website, **[www.middlelevel.gov.uk](http://www.middlelevel.gov.uk)**