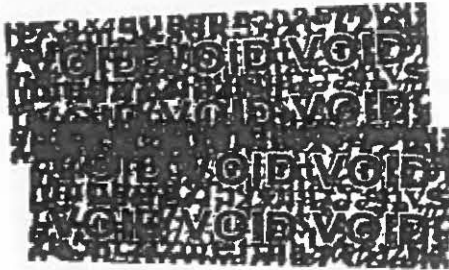




Armagh Office
44 Seagoe Industrial Estate
Seagoe Lower
CRAIGAVON
Co. Armagh
BT63 5QE

Telephone: 028 3839 9100
Fax: 028 3839 9113
Web: www.dardni.gov.uk/rivers



Your Ref
Our Ref- DA2-16-1724
Doc No. 43704

26th Jan. 2016

Dear Sir

**DRAINAGE ORDER (NI) 1973 – SCHEDULE 6
CONSENT TO DISCHARGE FROM PROPOSED NEW FACTORY FOR [REDACTED]
[REDACTED] COALISLAND**

Thank you for your schedule 6 application received 11th Nov. 2015. Rivers Agency would advise that there are flooding issues within the catchment of your proposed development. Therefore the Agency could not consider allowing a discharge of 500 L/sec into any watercourse within this catchment.

Rivers Agency will require the storm water discharge from the proposed site to be attenuated to that of Greenfield runoff, and you are required to furnish the Agency with detailed calculations indicating clearly a revised final discharge figure in L/sec.

Until Rivers Agency has received and appraised the requested information *River Agency withholds consent to discharge.*

Also as you are aware a watercourse within the site boundary has been culverted and the discharge from the existing factory piped and directed to open ground to the south of the site. Rivers Agency has no records of being consulted regarding the culverting of a watercourse or consent to discharge from the existing factory. This is in contravention of the Drainage (NI) Order 1973 and will require a written commitment from the developer/agent to be resolved to the satisfaction of Rivers Agency either as part of this application or as a separate issue

Should you require any further information or clarification, please do not hesitate to contact me quoting the above reference number.

Yours faithfully


W Milligan

From: Milligan, William
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [REDACTED]
Date: 01 October 2015 12:00:49

DA2-15-13049
Doc. No. 523733

R Sheehy

Request for storm water discharge information at proposed [REDACTED] [REDACTED] Coalisland

Reference your E-mail of 11th Sept. 2015. Rivers Agency would advise that there are flooding issues within the catchment of your proposed site and if formally consulted regarding discharge consent, Rivers Agency will request that storm runoff from the site be attenuation equal to that of green field runoff.

Rivers Agency would also inform you that if it is consulted by planners under the revised Planning Policy Statement 15 'Planning and Flood Risk' then the Agency will request that a drainage assessment be carried out for the site.

I hope the foregoing has been helpful but should you require any further information or clarification please do not hesitate to contact me.

Under the terms of schedule 6 of the Drainage (NI) Order 1973 the applicant must submit to Rivers Agency for its consent any proposals to carry out works which might affect a watercourse.

Yours faithfully

W. Milligan
Rivers Agency
Armagh Office
02838399143

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Armagh Office
44 Seagoe Industrial Estate
Seagoe Lower
CRAIGAVON
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Your Ref
Our Ref- DA2-15-16066
Doc No. 651470

3rd Feb. 2016

Dear Sir

**DRAINAGE ORDER (NI) 1973 – SCHEDULE 6
CONSENT TO DISCHARGE FROM PROPOSED NEW FACTORY FOR [REDACTED]
[REDACTED] COALISLAND**

Further to my letter dated 26th Jan. 2016 and your E-Mail dated 29th Jan. 2016, Rivers Agency would advise that due to localised flooding issues adjacent to your proposed discharge point the Agency cannot consent to storm water discharge at the location indicated on your supplied map.

Rivers Agency however has no objection in principle to the surface water drainage from the proposed site being discharged into the designated watercourse known to Rivers Agency as the Coalisland Mill Race (coloured red on attached map) at a maximum rate of 37 L/sec as stated in your correspondence

The Agency requests that your proposed outlet pipe be aligned with the flow of the watercourse, that a headwall and splash plate be constructed at the proposed discharge outlet and that details of the outfall site and proposed structures are submitted for appraisal.

Until the Agency has received and appraised these details, Rivers Agency **withholds consent to discharge.**

Should you require any further information or clarification, please do not hesitate to contact me quoting the above reference number.

Yours faithfully


W Milligan



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Your Ref
Our Ref- DA2-15-16066
Doc No. 74995

10th March, 2016

Dear Sir

**DRAINAGE ORDER (NI) 1973 – SCHEDULE 6
CONSENT TO DISCHARGE FROM PROPOSED NEW FACTORY FOR**

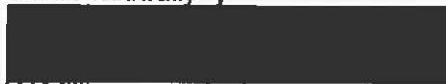
Reference your E-Mail of the 8th Feb 2016 and accompanying details. Rivers Agency would inform you that it consents to the discharge of storm water from the above development into the designated watercourse known to Rivers Agency as the Coalisland Mill Race MW4316. The discharge should be as indicated on your supplied drawings and the maximum discharge rate from your development should not be greater than 37 l/sec. as stated in your correspondence.

Riparian's/developers should note that in accordance with Paragraph 11 of Schedule 6 of the Drainage (Northern Ireland) Order 1973 any consents/approvals given by Rivers Agency under Schedule 6 shall not affect the liability of any riparian's/developers to comply with other legislation. Rivers Agency consent is from a drainage and flood risk aspect only. It is your responsibility to seek approval from any other parties which may have an interest in your proposals e.g. NIEA, Landowners, etc.

Please note that failure to adhere to the above conditions is a contravention of the drainage (Northern Ireland) Order 1973 and may result in legal proceedings. This consent is valid for a period of 12 months from the date of this letter. If the proposals are not completed within this period of time they should be resubmitted for further appraisal.

Should you require any further information or clarification, please do not hesitate to contact me at the above address, quoting the above reference number

Yours faithfully ,



W Milligan



Department of
Agriculture and
Rural Development
www.dardni.gov.uk

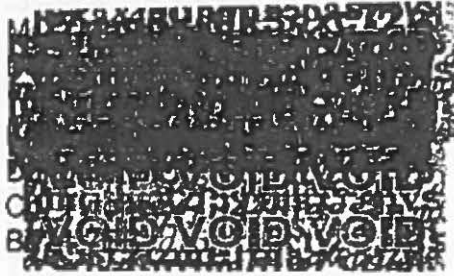


INVESTORS
IN PEOPLE



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Your Ref
Our Ref. DA2-15-12490
Doc No. 672956

4th Dec. 2015

Dear Sir
Drainage (NI) Order 1973 - Schedule 6
Culverting of watercourse and stormwater discharge consent.

Rivers Agency have received a flooding complaint adjacent to [REDACTED] Road, Coalisland and after an investigation it has been found that water is bubbling up through the access lane to the above address from an existing 300mm dia. pipe. Further investigation revealed that stormwater from an existing factory occupied by [REDACTED] is being discharged via the 300mm diameter pipe into land at location A on attached map.

It also appears that a watercourse bounding the factory site has been culverted.

I met with representatives from [REDACTED] on Friday 27th Nov. At 12am to discuss this matter [REDACTED] and [REDACTED] +2) Rivers Agency advised that it has no record of being consulted regarding discharge consent at location A or culverting of a watercourse.

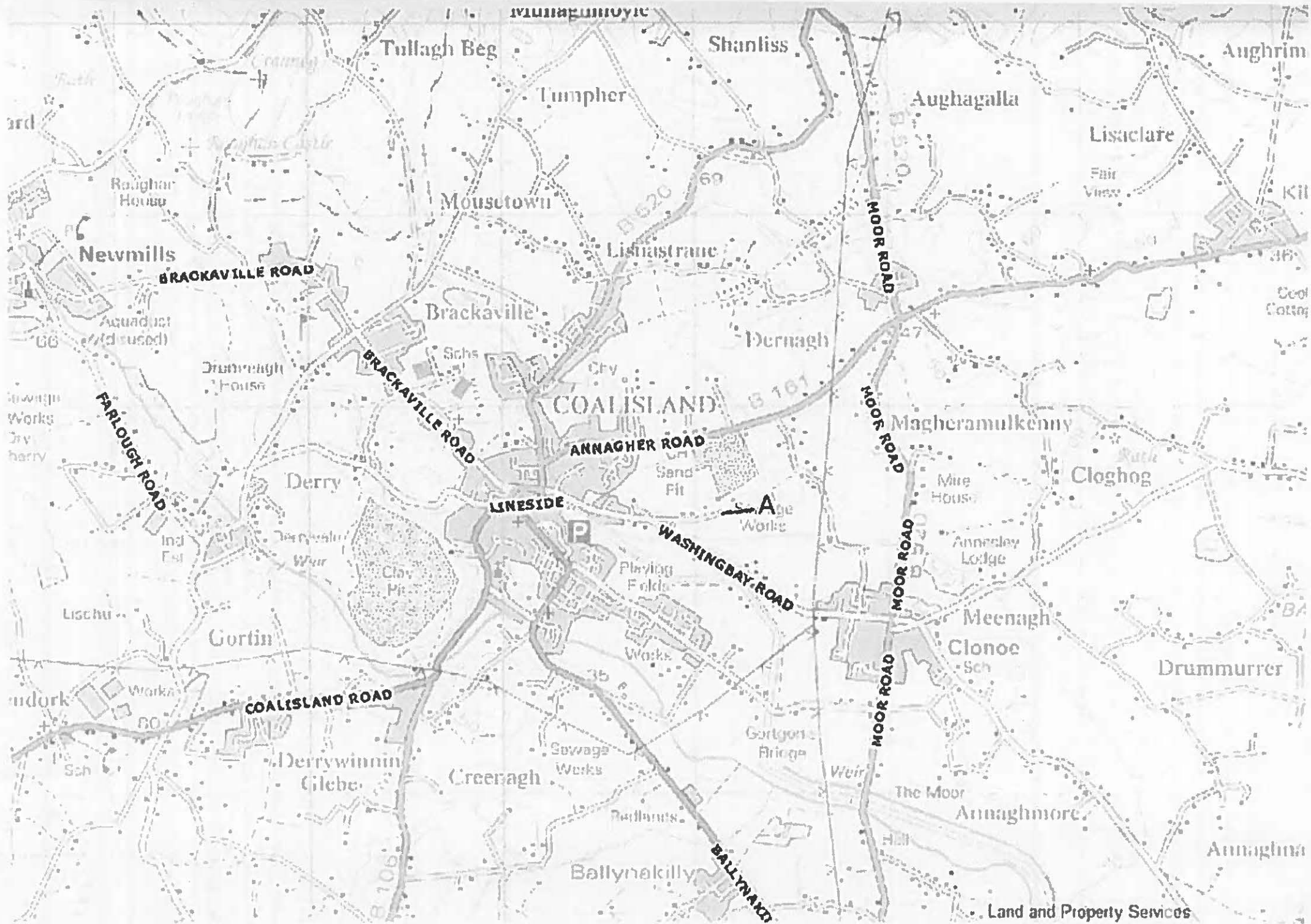
[REDACTED] is therefore in contravention of schedule 6 of the Drainage (Northern Ireland) Order 1973 and should apply for retrospective Schedule 6 approval for both discharge consent and piping of a watercourse.

Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973 an application must be submitted to Rivers Agency for its consent to carry out works which might affect a watercourse.

If schedule 6 approvals are not applied for within 28 days from the date of this letter Rivers Agency may consider more formal action.

Yours faithfully,

[REDACTED]
W Milligan





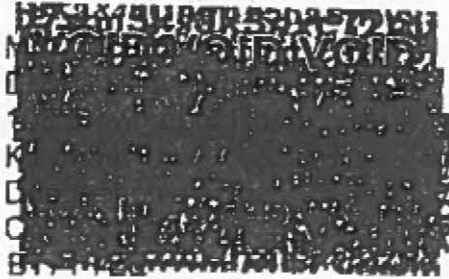
Department for

Infrastructure

An Roinn

Bonneagair

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T: 02838399111
E: Rivers.Armagh@Infrastructure-ni.gov.uk

Your reference

Our reference: DA2-15-12490

Doc. No.672956

2nd February 2017

Dear Sir

**DRAINAGE (NORTHERN IRELAND) ORDER 1973
Stormwater discharge consent.**

Rivers Agency is the statutory drainage and flood defence authority for Northern Ireland. Under the terms of the Drainage (NI) Order 1973 the Department has discretionary powers to administer enforcement procedures to protect the drainage and flood defence function of all watercourses.

A recent inspection by Rivers Agency indicates that the factories marked A and B on the attached map are discharging storm water into a watercourse and causing drainage issues.

As owner/occupier of the factories your attention is drawn to the provisions of Schedule 6 to the Drainage (NI) Order 1973 which states that a person shall not, without written consent of the Rivers Agency or in accordance with the conditions of the consent/ approval

Place solid matter, or allow discharges into watercourses which are likely to impair drainage.

The Agency did write to your agent [REDACTED] on the 10th March 2016 regarding this matter and to yourself letter dated 4th December 2015. To date nothing has been done to alleviate the situation. Accordingly these works are in contravention of Schedule 6 of the Drainage (NI) Order 1973 and you are formally requested to: abate the nuisance within 28 days of the date of this letter.

If the work has still not been completed by then, the Agency will consider instigating legal proceedings.

A copy of the relevant section of Schedule 6 of the Drainage (NI) Order is enclosed for your information or guidance

Please contact me if you are unclear on any point and need further information or guidance.

Yours faithfully,


W Milligan

[REDACTED]

From: Milligan, William
Sent: 04 April 2017 13:04
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: [REDACTED]
Attachments: discharge.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

DA2-15-12490

[REDACTED]

Thank you for your email. If it is your intension to use an NIEA approved soakaway method then your client does not require DFI Rivers approval to discharge storm water as the discharge will not be directly into a watercourse.

Could you forward a copy of the independent report and the letter of acceptance from NIEA for our records. Also all water from the site flowing along the existing culvert adjacent to [REDACTED] bungalow and discharging into the field at location (X) on attached map should cease when your percolation system is installed.

Your assistance in this matter is appreciated.

Regards

W Milligan

From: [REDACTED] mailto:[REDACTED]
Sent: 03 April 2017 17:48
To: Milligan, William J.
Cc: Milligan, William
Subject: Re: [REDACTED]

[REDACTED]



SCHEDULE 6

Article 32

PROTECTION OF WATERCOURSES

(A)

1. A person shall not—

- (a) place any solid matter in any watercourse or, save as permitted by any other statutory provision, cause, allow or suffer the discharge, flow or fall into any watercourse of any matter, whether solid or liquid, likely to render that watercourse, or any other watercourse, less effective for drainage purposes; or
- (b) do any act likely to impair the efficiency of any sea defences or sea defense works; or
- (c) subject to paragraphs 2 to 4, construct or reconstruct a bridge in or over any watercourse, or alter the waterway of any such bridge, except with the consent of the Ministry; or
- (d) so use any vehicle, machinery or implement as to break down or damage the bank or embankment of any watercourse or sea defenses; or
- (e) subject to paragraphs 3 and 4, erect or place any structure in, over or under any watercourse, or carry out any work of alteration or repair on any structure in, over or under any watercourse, if the work is likely to—
 - (i) affect the flow of water in the watercourse; or
 - (ii) impede any drainage work; or
 - (iii) prevent or impede the passage of fish; or
 - (iv) interfere with, or in any way hinder, the maintenance of the watercourse;except with the consent in writing of the Ministry and, in any case where the Ministry so directs, in accordance with plans, sections and specifications approved by the Ministry; or
- (f) erect or alter any structure designed to contain or divert the waters of [any designated watercourse], except [in accordance with regulations under Article 20 of the Water (Northern Ireland) Order 1999 or] with the approval in writing of, and in accordance with plans, sections and specifications approved by, the Ministry; or