

creating a better place  
for people and wildlife



Congresbury Parish Council,  
Orchard House,  
The Old School Rooms,  
Station Road,  
Congresbury, BS49 5DX

**Our ref:** SW030.004/IH

**Your ref:**

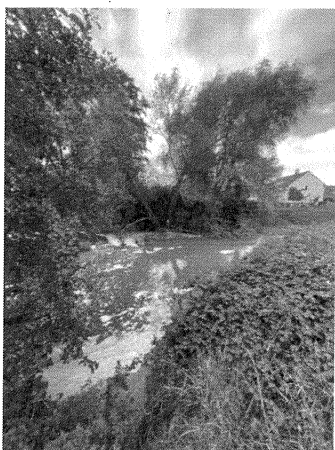
**Date:** 3 November 2023

To whom it may concern

**Congresbury Yeo urgent tree works - Environment Agency Notice of Intended Entry to Land**

I write in connection to some trees that have fallen into the Congresbury Yeo river upstream of the Millennium Green.

Given the flood risk created by leaving the trees in the watercourse, we are looking to remove these trees reasonably quickly. See below a couple of pictures of the trees in questions:



As is normal in these situations, the Environment Agency when undertaking work of this nature are required to issue a Notice of Entry giving at least 7 days prior notice of the work starting. Please see the attached notice, under the provisions of Sections 165 and 172 of the Water Resources Act 1991, in respect of this work. A copy of a plan is also enclosed indicating the land affected by the proposed works.

Whilst the repairs are off Parish Council land, access along the embankment in the Millennium Green will be required. We do not anticipate there will be any damaged caused to your land, however if losses or damage is caused to you as a reasonable consequence of our work, compensation can be claimed from the Environment Agency. Any compensation which may be payable will be assessed in accordance

Manley House, Kestrel Way, Exeter, EX2 7LQ.  
Customer services line: 03708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

with the provisions of the Water Resources Act 1991.

You are not required to take any action with regard to this notice, it is purely for information but it is recommended you store the document safely. Please note that whilst we are undertaking this work using our discretionary powers, by undertaking this work we are not obliged to carryout tree maintenance works in the future.

We anticipate the works starting on or shortly after 20<sup>th</sup> November 2023 and it should last no more than a couple of days.

Thank you in anticipation of your co-operation in connection to this important work. Please contact me on 07721 390 206 or the project manager Ben Evans on 07554 611 684 if you have any questions.

Yours faithfully



**Ian Hayes**  
**Estates Surveyor**

Direct e-mail [ian.hayes01@environment-agency.gov.uk](mailto:ian.hayes01@environment-agency.gov.uk)

**Water Resources Act 1991  
Section 172**

(FOR OFFICE USE ONLY)

Ref No: **WR10610**  
Scheme: **Congresbury tree works**  
Name: **Congresbury Parish Council**

**NOTICE OF INTENDED ENTRY ONTO LAND**

**TO:** Congresbury Parish Council, Orchard House, The Old School Rooms,  
Station Road, Congresbury BS49 5DX.

Except in an emergency, under Section 172 of and Schedule 20 to the Water Resources Act 1991 we must give reasonable notice where we propose to enter any premises or vessel to carry out flood risk management works.

In order to carry out flood risk management works as part of the **Congresbury Yeo, trees works** (the Works) it is necessary for the Environment Agency to enter land which you own or occupy adjacent to the Millennium Green, Congresbury, grid reference ST 4390 6386 (the Land) as shown in red on the attached plan. Our powers to enter land for these purposes are set out in Section 172 of and Schedule 20 to the Water Resources Act 1991.

The Environment Agency hereby gives you notice that we propose to enter your land on or after **20<sup>th</sup> November 2023**. Entry will continue until the purpose for which it is required is satisfied.

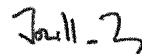
The land we intend to enter is indicatively shown edged red on the enclosed plan (the Land) labelled Environment Agency – Congresbury Yeo tree works plan. Access is indicated by a dashed green line.

The proposed Works will consist of removal of trees currently causing a flood risk and any other necessary ancillary works. Our powers to carry out such works are set out in Section 165 of the Water Resources Act 1991 and Section 37 the Environment Act 1995 and all other relevant statutory enabling powers.

An authorised officer entering onto land is entitled to take with him/her such other persons and equipment as may be necessary to carry out the Works.

Date: 3<sup>rd</sup> November 2023

Signed



**Jonathan Young - Senior Estates Surveyor**

**Environment Agency, Manley House, Kestrel Way, Exeter, EX2 7LQ**

If you have any queries about this Notice please contact: Ian Hayes – 07721 390 206  
Environment Agency

*Please see notes overleaf*

## Section 172

### Notes:

1. If the person in occupation of the premises refuses entry, we may seek a warrant to authorise entry from a Justice of the Peace.
2. In the case of an emergency we may enter the premises sooner than the notice provides for (Schedule 20 to the Water Resources Act 1991).
3. You may be entitled to claim compensation in respect of these Works or this entry under provisions in Schedules 20 and 21 to the Water Resources Act 1991.
4. It is a criminal offence under paragraph 7 of Schedule 20 to the Water Resources Act 1991 to intentionally obstruct a person acting in the exercise of the powers contained in Section 172 of that Act.
5. You may obtain copy of the Home Office Code of Practice on Powers of Entry by visiting the government's website at [www.gov.uk](http://www.gov.uk) or by requesting a copy from the Environment Agency officer named overleaf

## Environment Agency – Congresbury Yeo tree works plan



Key – Access route shown dashed green. Working area is edged in red.

