FLOOD AND COASTAL RISK MANAGEMENT

GUIDE TO RIPARIAN LANDOWNERS

The following guidance provides all landowners with information detailing their responsibilities for maintaining watercourses on or adjacent to their land, to help reduce flood risk to their own and surrounding land, properties and businesses.

What is a watercourse?

A watercourse is any natural or artificial channel where water flows, such as a river, brook, ditch, cut, stream or culvert (underground structure that water can flow through). It can be above or below ground and does not have to contain water all year round.

Landowners with a 'watercourse' on or adjacent to their land are called 'riparian landowners' and have a responsibility to maintain these watercourses. Most riparian owners are responsible for maintenance of the bank on their side, and to the centre line across the bottom of the watercourse, regardless of any boundary fence, wall, treeline or hedge.

Riparian Responsibilities

As a riparian landowner you have a responsibility to prevent flooding to properties, the highway and the surrounding land by allowing the natural flow of a watercourse through or adjacent to your land.

Your legal duties are to:

- Let water flow through your land without any obstruction, pollution or diversion which affects how others receive the water in the end.
- Keep any approved structures that you own, clear of debris. Examples include culverts, trash screens, weirs and mill gates. This may require professional contractors, please do ask for advice from the councils Flood and Coastal Risk Management team.
- Maintain the bed and banks of the watercourse (including the trees and shrubs growing on the banks). You are responsible for clearing and removing any obstructions and litter in the watercourse, regardless of where they came from.
- Consent will be required from the relevant enforcing authority, if you wish to complete any temporary or permanent work on a watercourse that encroaches or alters the flow of the watercourse and prevents the free passage of fish. Examples include culverts, bridges and board walks.

If you do not carry out your responsibilities, you could face legal action from the relevant enforcing and consenting authority. These include East Riding of Yorkshire Council, the Environment Agency and local Internal Drainage Boards who all have permissive powers to carry out maintenance. All authorities have legal power under the Land Drainage Act 1991.

Further details can be found online on the following websites:

eastriding.gov.uk/floodrisk

gov.uk/guidance/owning-a-watercourse

Or you can contact the Flood and Coastal Risk Management Team:

(01482) 395656

land.drainage@eastriding.gov.uk

EAST RIDING OF YORKSHIRE COUNCIL

HELP STOP FLOODING IN YOUR AREA

DITCHES AND WATERCOURSES ARE IMPORTANT

Highway Authority

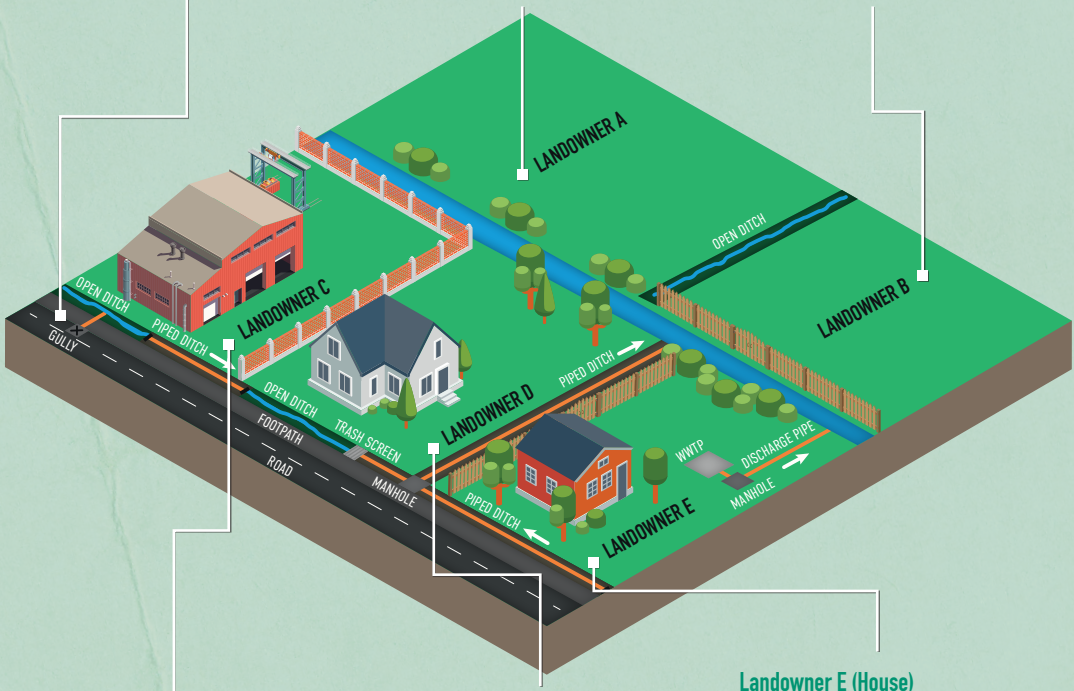
Responsible for the maintenance of the gully and discharge pipe into the open ditch.

Landowner A

Responsible for the maintenance up to the middle point of both the field boundary ditch and the watercourse behind the hedge that borders their land.

Landowner B

Responsible for the maintenance up to the middle point of both the field boundary ditch and the watercourse behind the fence that borders their land.



Landowner C (Business)

Responsible for the maintenance up to the middle point of the watercourse behind the wall that borders their land. They are solely responsible for the pipe running under their access drive and the adjacent open ditch.

Landowner D (House)

Responsible for the maintenance up to the middle point of the watercourse behind the treeline that borders their land. They are solely responsible for the pipe running under their access drive, the adjacent open ditch, the manhole and the trash screen at the front of their land. They are also responsible for the maintenance of the piped ditch that runs under their land to the watercourse.

Landowner E (House)

Responsible for the maintenance up to the middle point of the watercourse behind the hedge line that borders their land. They are solely responsible for the piped ditch running under the front of their land. They are also responsible for the maintenance of the discharge pipe, manhole and connected private waste water treatment plant (WWTP) that runs under their land to the watercourse.