

# BREEDON ON-THE- HILL PARISH COUNCIL

*in North West Leicestershire*

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*Parish Clerk:* Samantha Lockwood

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Tuesday 16<sup>th</sup> August 2016

Dear Resident,

## **Riparian Owners Responsibilities.**

Following the recent flooding events in the village and the subsequent discussions at the Parish Council meeting in July a Flood Working Group has been set up to try and facilitate some action.

A number of measures have been identified which could help prevent a reoccurrence in the future, some of which individuals can assist with and some which will require money and resources from the likes of Leicestershire County Council. One measure which has been highlighted is that of 'Riparian Owners Responsibilities'.

If your land boundary is next to a watercourse you are legally termed a riparian owner and it is assumed, you own the land up to the centre of the watercourse.

As a riparian owner you have certain responsibilities, these responsibilities are based on common law and have been defined as a result of legal cases over many years.

Riparian owners have responsibilities to:

- Maintain the beds and banks of the watercourse (including trees and shrubs growing on the banks), and for clearing any debris, natural or otherwise, including litter and animal carcasses, even if it did not originate from your land.
- Pass on flow without obstruction, pollution or diversion affecting the rights of others.
- Keep the beds and banks clear of any matter that could cause an obstruction, either on your land or by being washed away by high flows to obstruct downstream structures.
- Not use watercourses and their banks for the disposal of any form of garden or other waste.
- Keep clear any structures that you own such as culvert, grills/grids, weirs and mill gates.

A watercourse/ditch plays a vital part in removing water from land and stopping flooding. Leicestershire County Council has a duty to protect those at risk from potential flooding and require that riparian owners carry out their responsibility and maintain their section of watercourse so that any risk is reduced.

It would be helpful if you could please look carefully at your section of the watercourse and to ensure the appropriate works; de-silting and vegetation clearance are carried out to keep the watercourse clear. For further information on Riparian Owners you might like to take a look at the EA document entitled 'Living on the Edge'.

Under section 24/25 of The Land Drainage Act 1991, Local Authorities have powers to act in particular circumstances where riparian responsibilities are not carried out. The Authority can carry out work themselves in default and reclaim all reasonable incurred cost.

We hope that this summary of your responsibilities has been informative but if you need any help or more information then please do not hesitate to contact the Flood Working Group via Breedon PC. Also, if you could please acknowledge receipt of this letter via the Parish Council e-mail it would be greatly appreciated.

Yours faithfully,

Cllr D Camp, Breedon on the Hill Flood Working Group

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*Safeguarding and promoting the amenities of our villages*