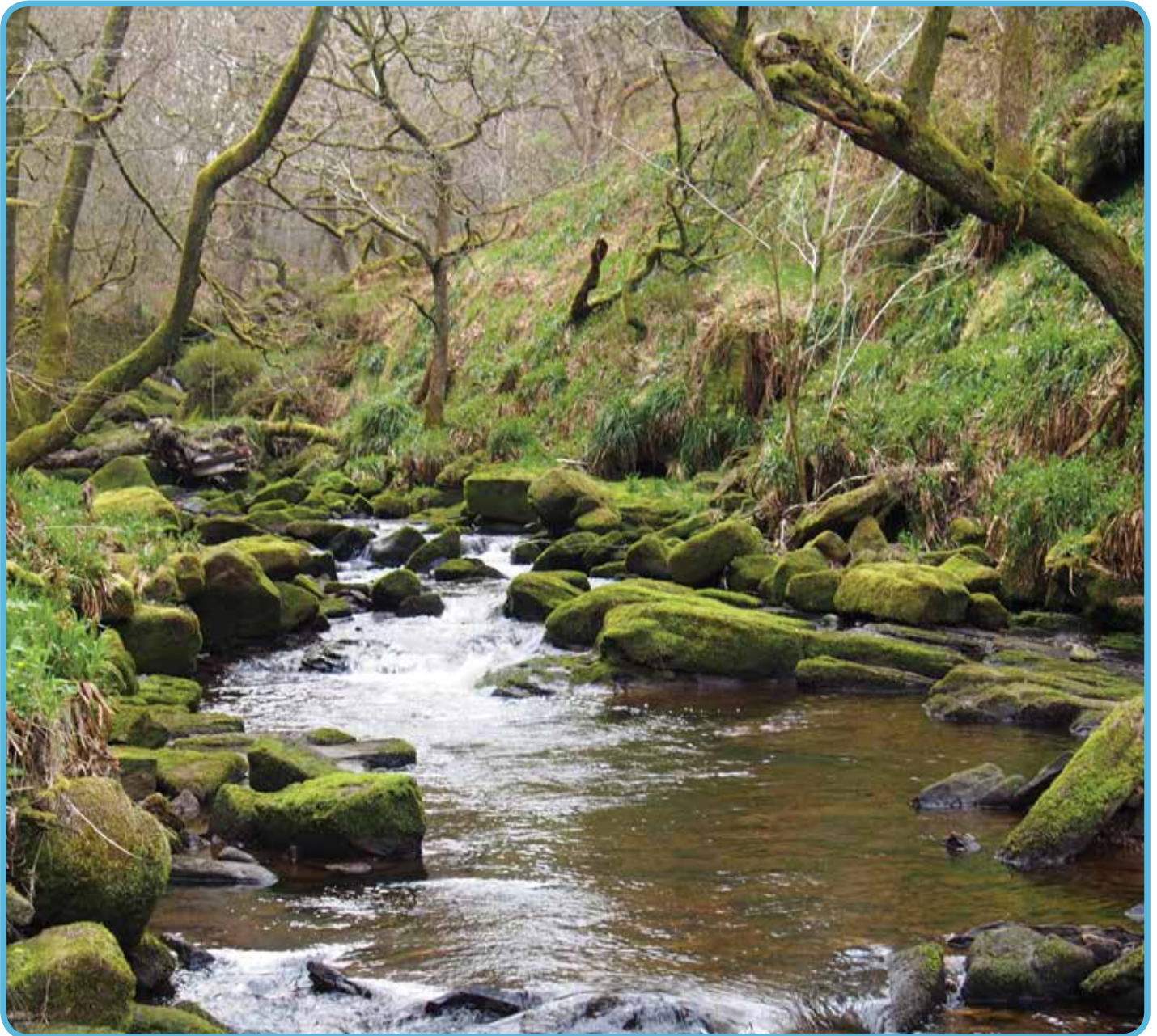


Managing a watercourse or flood risk asset on your land

A guide for Calderdale property owners



Your responsibilities as a riparian owner



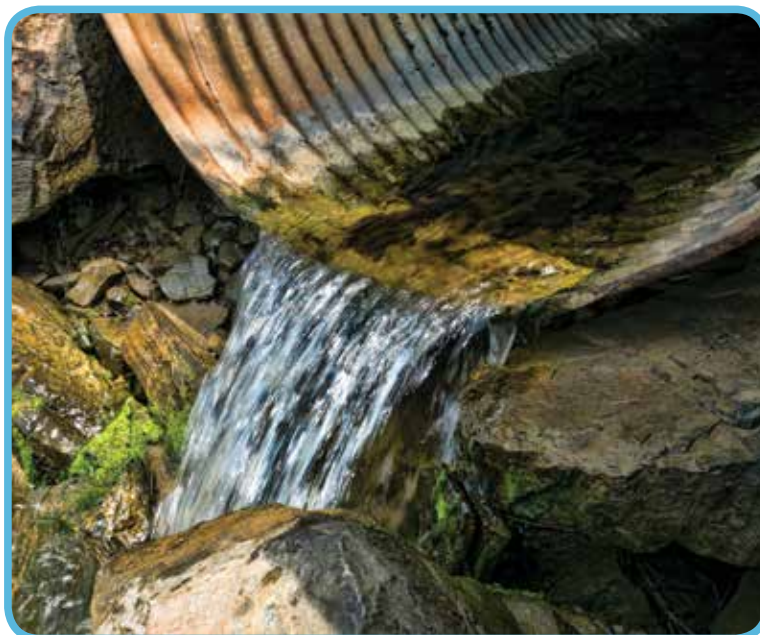
A riparian owner is someone who owns a watercourse that is within or adjacent to their property.

A watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dykes, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages through which water flows. It is not required for water to flow through the watercourse at all times for it to be considered a watercourse.

Riparian owners have a number of legal responsibilities, including reporting incidents, letting water flow naturally, preventing pollution and protecting wildlife.

Under the Land Drainage Act 1991 they are expected to co-operate with Calderdale Council as the Lead Local Flood Authority (LLFA) to manage flood risk wherever possible.

Failure to fulfil these can cause flooding to property, damage ecosystems and pollute watercourses, which are key habitats for wildlife such as birds, fish, otters and water voles. It could result in legal action and you may have to compensate any resulting damage that arises.



Letting water flow naturally



A riparian owner's basic responsibility is to maintain the free flow of the contents of the watercourse. This could involve all or any of the following:

- Maintaining the bed and banks of the watercourse, and also the trees and shrubs growing on the banks;
- Clearing any debris, even if they did not originate from your land. These debris may be natural or man-made; and
- Keeping any structures that you own clear of debris. These structures include culverts, trash screens, weirs and mill gates.

You have the right to protect your property from flooding but you must agree your plans with the appropriate authority beforehand.



Undertaking work on a watercourse



Main rivers vs. ordinary watercourses

If the watercourse is classed as a main river (usually larger rivers or streams) the Environment Agency is responsible for authorising consent to works and carrying out enforcement action. A map of the UK's main rivers can be found online.

In order to carry out work on a main watercourse you need to apply for an environmental permit: www.gov.uk/guidance/flood-risk-activities-environmental-permits

Email: enquiries@environment-agency.gov.uk

Phone: 03708 506 506

Calderdale Council as LLFA is responsible for the management of watercourse regulation where these are not part of a main river. Ordinary watercourses include rivers, streams, ditches, drains, cuts, culverts, dikes, sluices and sewers (other than public sewers).

To undertake work on an ordinary watercourse you should apply for Ordinary Watercourse Consent: www.calderdale.gov.uk/flooding

Email: highwaysandengineering@calderdale.gov.uk

Phone: 01422 288002

Even if you have planning permission or other consents you will still require consent for temporary or permanent works that are likely to cause an obstruction to flow, restrict storage or involve erecting a culvert. Changes to existing obstructions (such as dams, weirs or culverts) will also need consent. Failure to obtain an environmental permit or Ordinary Watercourse Consent before carrying out works can be a criminal offence and may result in a fine.

Something on your land, such as a wall, may be important to prevent flooding and be listed as a flood defence asset. You should check with the appropriate authority whether you're responsible for maintaining this.

There may be opportunities to work with natural processes on your watercourse in order to reduce flood risk, improve water quality or increase biodiversity. For more information or to discuss potential opportunities contact nfm@calderdale.gov.uk.

Where to get more information



This leaflet just gives a very brief overview of your responsibilities as a riparian owner. Please visit the following websites for to find out more.

Environment Agency – Owning a Watercourse www.gov.uk/guidance/owning-a-watercourse

Eye on Calderdale – Watercourses and Riparian Ownership www.eyeoncalderdale.com/community/watercourse-and-riparian-ownership

Calderdale Council – Flooding www.calderdale.gov.uk/flooding

Yorkshire Wildlife Trust – Can provide advice and assistance on improving your watercourse for wildlife. Contact alec.boyd@ywt.org.uk

Reporting incidents



The riparian owner is responsible for reporting any issues to the appropriate body.

**Report flooding of a main river or reservoir:
Environment Agency**

www.gov.uk/report-an-environmental-incident

0800 80 70 60 (24 hours)

**Report a blocked watercourse or road gully:
Calderdale Council**

www.calderdale.gov.uk/flooding

01422 288002 (out of hours: 01422 288000).

**Report a burst water main or sewer flooding:
Yorkshire Water**

www.yorkshirewater.com/report

0345 124 2424

Report canal flooding: Canal & River Trust

[www.canalrivertrust.org.uk/contact-us/
contacting-us-in-an-emergency](http://www.canalrivertrust.org.uk/contact-us/contacting-us-in-an-emergency)

0303 040 4040

(emergency number: 0800 47 999 47)

