

Watercourse responsibilities

factsheet **Guidance for landowners when maintaining a watercourse on or next to their land or property**

www.rbwm.gov.uk



A watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers passages, through which water flows. This does not include public sewers. Landowners who own land that a watercourse runs through or next to are known as riparian owners.

Designation of watercourses

There are two designations for watercourses in the UK:

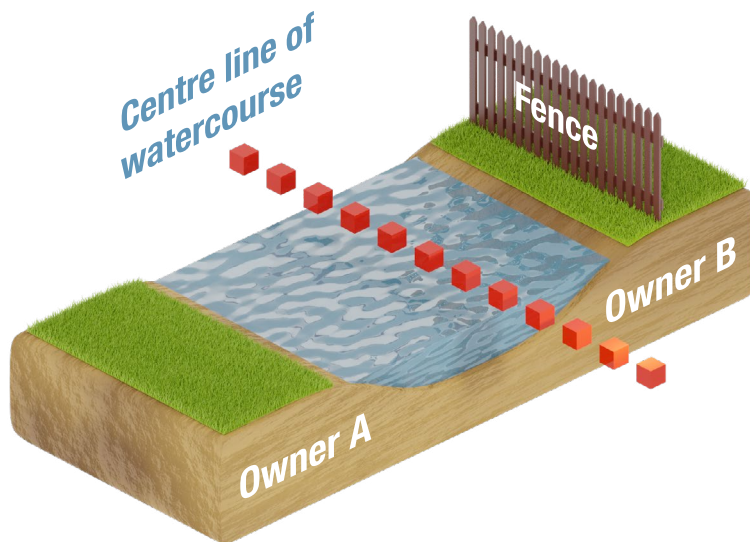
Main rivers are usually larger watercourses but can also be smaller watercourses. Main rivers are designated as such by the Environment Agency (EA) you can see these on the main river map. The EA are also the risk management Authority for flooding associated from main rivers (fluvial flooding).

Ordinary watercourses are simply any watercourse not designated as a main river and may not be mapped. The Royal Borough of Windsor & Maidenhead (as the Lead Local Flood Authority) are the risk management authority for flooding from ordinary watercourses and have powers to ensure watercourses are kept clear of obstructions to the flow of water.

Ownership

If a landowner has a watercourse running along the boundary of their property, it is usually assumed that they are responsible for maintenance up to the centre of the channel, with the other adjacent landowner being responsible for the other half. This differs for watercourses next to the highway where the adjacent landowner is typically responsible for all maintenance.

If a watercourse runs through a landowner's land, they are also responsible for all maintenance.



Rights of a riparian owner

A riparian owner must allow water to flow freely through their land without obstruction including times where the watercourse may break its banks, come from another person's property or the downstream capacity of the watercourse is exceeded. Riparian owners should not do anything which causes pollution to watercourses or affects how water will flow.

You have the right to protect your own property from flooding and your land from erosion as long as it doesn't impact the rights of another landowner however you will need consent if works affect the flow or storage of water within the channel of the watercourse.

Consent

Any works within the channel or near to a watercourse may require a consent or permit. Depending on the type of watercourse you will need to contact:



ROYAL BOROUGH OF
**WINDSOR &
MAIDENHEAD**
WWW.RBWM.GOV.UK

Ordinary Watercourses

Royal Borough of Windsor & Maidenhead

Emergency number during office hours - 01628 683804

Out of hours emergency number - 01753 853517

Email - flooding.enquiries@rbwm.gov.uk



**Environment
Agency**

Main Rivers

Environment Agency

Incident Hotline - 0800 807060

Email - enquiries@environment-agency.gov.uk

Responsibilities

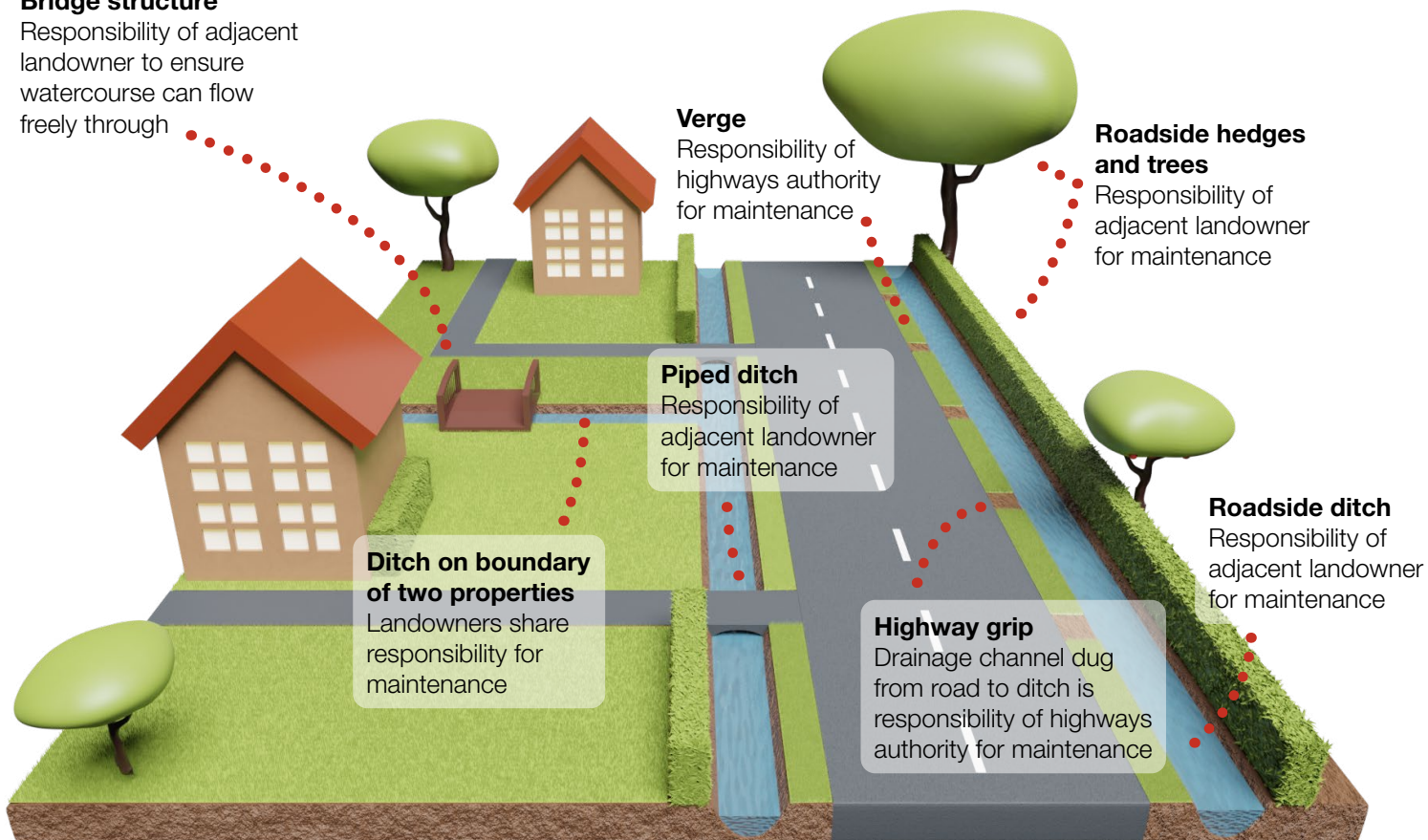
Landowners responsible for a watercourse must:

- ◆ Maintain the bed and banks of the channel, keeping them clear of obstructions to the flow of water which could increase flood risk. However, some work may require consent or a permit.
- ◆ Maintain the flow of water through any culverted or piped watercourses on or next to their land.
- ◆ Keep any structure free of debris, including trash screens, weirs, culverts and mill gates.
- ◆ Not cause any obstructions, temporary or permanent that would stop fish passing.
- ◆ Not allow the watercourse to become polluted. This includes putting garden waste into the channel.
- ◆ Control invasive species (such as Japanese knotweed)
- ◆ Make sure any work is in keeping with the natural river system – work must not damage wildlife and every opportunity should be sought to improve habitats.

Who is responsible for what?

Bridge structure

Responsibility of adjacent landowner to ensure watercourse can flow freely through



Further Information

You can find further information on the Royal Borough website. Visit www.rbwm.gov.uk and search 'flooding' or scan the QR code.

