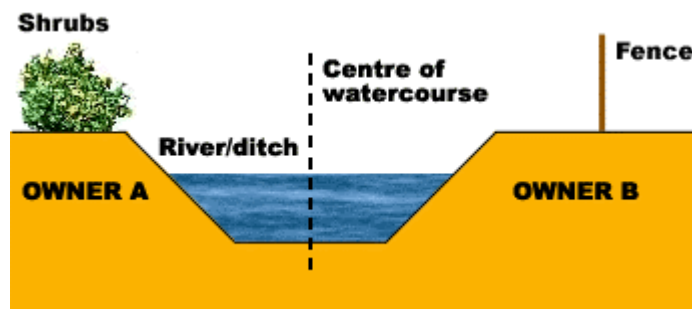


Extract from Environment Agency – Living on the Edge

Riparian Ownership

River or ditch flooding normally occurs as the result of a storm or series of storms over the whole of a river's catchment. These storms are usually of longer duration and are less intense than the storms that cause flash flooding. Normally the [Environment Agency](#) is able to issue several hours' warning of the likelihood of river flooding using their automatic flood warning system, and by radio and television messages. You can call their

Floodline on 0845 988 1188 to find out the latest information on river and coastal flooding, and register to receive automated flood warning messages.



The rivers, streams and ditches are the responsibility of the 'riparian' landowners who own land on either bank. If your property is adjacent to a watercourse of any description you are a riparian owner and should be maintaining it regularly. This will have the benefit of reducing the risk of flooding from the watercourse at times of wet weather - both for you and your neighbours.

Even if the Title Deeds for Owner A's property show the boundary to be the fence, they have riparian rights and responsibilities to the centre of the watercourse.

As a riparian owner you have certain rights and responsibilities in relation to the watercourse flowing through or adjacent to your property. These 'riparian rights' are based on common law and have been defined as a result of legal cases over many years. These rights are not absolute and you may in any event have to obtain consent for work from the [Environment Agency](#) or the Council.

Your Rights

- You may own land up to the centre of the watercourse
- You have the right to receive flow of water in its natural state, without undue interference in quantity or quality
- You have the right to protect your property from flooding, and your land from erosion
- You have the right to fish in your watercourse, although this must be by legal methods and with an [Environment Agency](#) rod licence
- You can abstract a maximum of 20 cubic metres per day of water for the domestic purposes of your own household or for agricultural use, excluding spray irrigation, from a watercourse at a point which directly adjoins your land without the need for a licence. Most other types of abstraction will require a licence from the [Environment Agency](#).
- These rights are modified by your duty of care to other riparian owners, the rest of the community and to the environment - that is, you mustn't do anything which harms or affects others.

- Before starting any work on or adjacent to a watercourse, you must submit the plans of any work to the [Environment Agency](#) and the Council to determine whether you require a land drainage consent and/or planning permission. Environmental issues, including flood risk, wildlife conservation, fisheries, reshaping of the river and landscape, must all be considered.

Your Responsibilities

- You have the responsibility to pass on flow without obstruction, pollution or diversion affecting the rights of others
- You have the responsibility to accept flood flows through your land, even if caused by inadequate capacity downstream, as there is no common law duty to improve a watercourse
- You have the responsibility for maintaining the bed 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. [Advice on the removal of animal carcasses](#).
- You must not cause any obstructions to the free passage of fish
- You are responsible for keeping the bed and banks clear from any matter that could cause an obstruction either on your land, or by being washed away by high flow to obstruct at a structure downstream. Watercourses and their banks should not be used for the disposal of any form of garden or other waste.
- You have the responsibility for protecting your property from seepage through natural or man-made banks. Where such seepage threatens the structural integrity of a flood defence, it may become the concern of the [Environment Agency](#).

Reproduced from the [Environment Agency](#) publication 'Living on the Edge'.