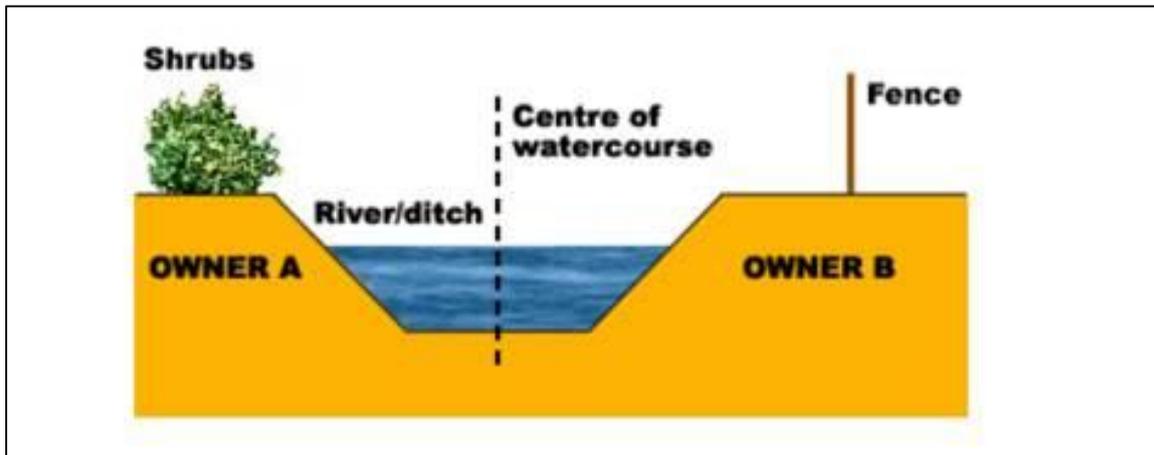


## RIPARIAN OWNERSHIP

### What is Riparian Ownership?

A 'Riparian Owner' is someone who has a watercourse within or adjacent to any boundary of their land. It is presumed that they own up to the centre of the watercourse unless it is known to be owned by someone else.



### Rights and Responsibilities

If you are a riparian owner, you have certain rights, but are also legally obliged to fulfil certain responsibilities under laws enacted to help manage flood risk and to protect the environment.

#### Rights of a riparian owner

- To receive a flow of water in its natural state, without undue interference in quantity or quality.
- To protect your property against flooding from the watercourse and to prevent erosion of the watercourse banks or any nearby structures.

#### Responsibilities of a riparian owner

- Maintain the bed and banks of the watercourse, and also the trees and shrubs growing on the banks
- Clear away any natural or man-made debris, even if it did not originate from the owners land
- Keep any structures they own clear of debris (such as culverts, trash screens, weirs, mill gates etc.)
- Let water flow through their land without any obstruction, pollution or diversion which affects the rights of others
- Accept the natural flow from upstream and transfer it downstream without obstruction, pollution or diversion.
- You must accept flood water through your land, even if high water levels are caused by inadequate capacity downstream. Landowners downstream have the same responsibilities but like you have no obligation to improve it.

If a landowner fails in their responsibilities described above, they may face legal action.

## Most common problems affecting watercourses

- Failure to keep vegetation growth under control
- Disposal or storage of garden or domestic rubbish, waste etc. on the banks of watercourses
- Failure to obtain consent for installing pipes or culverting of watercourse

## Requirements before work is carried out to watercourses

Riparian owners must be aware of the need to obtain the correct Consents and Permits before carrying out any works as failure to do so could result in fines and legal action being taken against them.

- Flood Defence consent will be required if works are undertaken in, over or within 8 metres of a Main River by the Environment Agency (EA). Works in and around Ordinary Watercourses will require formal consent from South Gloucestershire Council
- Works to 'Rhines' or watercourses within the remit of the Lower Severn Internal Drainage Board (LS IDB) will require formal consent.
- Works on any watercourse may require planning permission which your Local Planning Authority will be able to advise on.
- Ditch spoil is categorised as 'Medium Level Hazardous Waste' so advice on how to best dispose of this material will need to be sought from the Environment Agency (EA).
- A number of species and nesting birds are protected by law and disturbing them is a serious criminal offence. Further advice should be sought from Natural England and/or the Local Wildlife Trust.

## Enforcing the law

To reduce the risk of flooding, South Gloucestershire Council aims to improve and maintain an effective watercourse system through a process of co-operation, liaison, advice and assistance wherever possible. Legal action will only be used where other methods have not succeeded in reducing the flood risk.

## Advice, Guidance & Further Information

If you are unsure whether or not you have riparian ownership responsibilities over a watercourse then in the first instance we would advise checking the title deeds of your property.

Further information can be found in the '**Living on the Edge**' booklet which was produced by the Environment Agency (EA) and details the rights and responsibilities of riparian ownership

Click [HERE](#) for a copy of the "Living on the Edge" Booklet.