

Watercourse Maintenance for Riparian Landowners : Things to note

This guidance is aimed at landowners and their agents to help them understand their roles and responsibilities in maintaining watercourses. It is in addition to our 'Living on the Edge' leaflet which explains the wider roles and responsibilities relating to riverside occupancy.

River channels convey water within their banks at low to medium flows. During higher flows, the river will flow out onto its floodplain, which is a natural part of the river system designed to store water. Widening, deepening and dredging river channels, which has been undertaken historically on many rivers, damages their channel habitats and leads to erosion and deposition. These natural processes work to return a river to its previous pre-damaged state.

Dredging is a particular problem. Whilst it can increase a river's capacity for a short period of time, this is often overshadowed by a significant financial and ecological cost, as the river will always seek to restore itself to its previous condition. Increasing the capacity of a river can also increase the risk of flooding by conveying flood waters to areas downstream at a faster rate. This can also prevent the floodplain from performing naturally, preventing it from storing water in low lying areas adjacent to the channel, thus reducing its connectivity with the watercourse.

Who is responsible for river maintenance ?

Our statutory duties include managing flood risk, and we also have a duty to protect and enhance the river and its environment. Watercourses and their associated flood plains are important natural habitats, as well as essential for conveying flood flows resulting from surface water run-off following any significant rainfall event. We have discretionary powers to undertake maintenance work on designated main rivers. This programme of work is prioritised by assessing flood risk throughout the catchments in order to use our limited resources most effectively.

Landowners role

Landowners have ultimate responsibility for the maintenance of the watercourses flowing through, or adjacent to their landholding. However, some of the activities you may wish to undertake may require permission from us.

Conservation

The river corridor often includes wildlife and their places of shelter which are protected by legislation, contravention of which may lead to prosecution (e.g. recklessly damaging water vole burrows or disturbing nesting birds, otters or spawning fish are all offences).

Therefore, before undertaking any maintenance work, you may wish to contact us to seek advice.

As a guide, the following **IS** likely to require consent from the Environment Agency:-

1. Any dredging using an excavator to remove silt and/or weeds and roots from a main river watercourse
2. Certain works affecting the bed or banks of a watercourse or a flood defence structure
3. Cut vegetation or other material will need to be disposed of in accordance with waste legislation

In addition if the site is formally designated (i.e. Site of Special Scientific Interest or Scheduled Ancient Monument.) then approval from another organisation (e.g. Natural England) may also be required.

The following is likely **NOT** to require consent from the Environment Agency (but wildlife legislation still applies) :-

1. Weed cutting (provided the bed is not disturbed through removal of silt/roots)
2. Removal of fallen trees
3. Trimming of bushes and scrub on the riverbank
4. Clearing debris or rubbish
5. De-silting ordinary watercourses

NB : In disposing of any of the materials created through these works you may still need to comply with waste legislation.

IF IN DOUBT contact us on 08708 506 506.

Whether our consent is required or not, we can provide advice on how best to manage flood risk, and how to assess and protect important wildlife and habitats while undertaking maintenance work.

It is important to understand that an ecologically important river channel can still be managed to reduce flood risk. However, this work must be undertaken sensitively, following best practice which we can provide on request. For example, this could entail using a particular technique, or avoiding a particular time of the year. It is also important to understand that watercourse maintenance may not make any substantive difference to large flood events, and any maintenance should be undertaken with an understanding of the benefits which may or may not accrue.