

West Sussex County Council partnership process with our Parish and Town Council partners for ordinary watercourse maintenance work and enforcement.

We (WSCC) have a process in place with our Parish & Town Council partners for ordinary watercourse maintenance work and enforcement.

Parish or Town Council should be aware that 'Consent' for works to ordinary watercourses is required if the work, temporary or permanent, is likely to effect the flow of water in the watercourse i.e. culverting or diverting an existing ditch. This 'Consent' is issued by the local District Council land drainage engineer.

With regards to maintenance work and enforcement we have an agreed process where having been made aware of an issue on an ordinary watercourse the local Parish & Town Council should:

- i) Contact the land owner, personally or by phone, and make them aware of the issue and ask them to carry out the necessary work

Or

- ii) Write to the land owner making them aware of the issue and ask them to carry out the necessary work.
 - o The letter should outline their responsibilities as landowner and ask them to carry out the necessary maintenance work.
 - o A copy of the letter should also be sent to the local District Council land drainage engineer and WSCC's Flood Risk Management Team (FRM@westsussex.gov.uk).
 - o The letter should ask the land owner to contact the Parish Council confirming that the necessary work will be carried out, indicating a time scale for the work to be completed.
 - o The land owner may not want to carry out the work immediately because of nesting birds, for example. Therefore, a date for the work to be completed should be agreed between the Parish Council and the land owner.
 - o The Parish or Town Council should advise the local District Council land drainage engineer with date/time scale for the work indicated by the landowner.
- iii) If no contact is made between the land owner and the Parish or Town Council and the work is not carried out, at the request of the Parish or Town Council., then the local District Council land drainage engineer should be advised.
- iv) Then the local District Council land drainage engineer will write to the land owner stating that since the Parish Council letter no work has been carried out.
The letter will again outline their responsibilities as landowner and ask them to carry out the work as detailed within a set time period. The letter will also state that legal action could result if the work is not carried out.
- v) If still no work has been carried out. The District Council land drainage engineer will write to the land owner stating that the work remains outstanding and that unless the work is undertaken immediately the matter will now be past to WSCC for legal action to be undertaken.
- vi) WSCC legal department then write to the land owner stating that the work must be carried out within 8 weeks or we will start legal action.

