**Land Drainage & Flood Defence**

Surface water run-off is a term used to describe the excess rainwater that is unable to drain into the land; it therefore runs off the land into low areas eventually draining into ditches, streams and rivers and thence the sea. At times of heavy rainfall this may lead to flooding.

The first point to stress is that under English Law the primary obligation to drain and protect the land is that of the individual riparian owner. (*A riparian owner is either someone who owns land through which a watercourse, ditch or culvert passes, or land adjacent to a watercourse, ditch or culvert and is presumed to own up to the centre of the watercourse unless it is known to be owned by others).*

The Common Law has established a regime of rights and duties upon such owners in this respect - including maintenance, etc., of the watercourse banks, beds and structures - in or on the section of the watercourse which lies alongside the owners' property which they have rights and obligations. These rights and responsibilities can be found in a booklet called, "**Living on the Edge**". This is produced by the Environment Agency and can be downloaded from their website.
Environmental Agency Flooding

The District Council can use its permissive powers to deal with identified problems, generally in relation to failure by ripairan owners to carry out works or maintenance on ordinary watercourses (not a main river, or Bell Brook, Snitterfield, or Racecourse Brook, Stratford) in order to maintain water flow and minimising the risk of flooding.

In summary, land and property owners are responsible for their own property. They have a responsibility for maintaining water flows, not only to protect themselves, but also their neighbours. If they fail to carry out their responsibilities, the District Council or Environment Agency has the power to take action to alleviate particular problems under the Land Drainage Act 1991.



Flooding in Southam

**If you enquiry relates to a main river**: (or Bell Brook in the Snitterfield area or Racecourse Brook in Stratford) you will need to contact the Environment Agency on 08708 506506 or via their website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk/).

**If your enquiry relates to Highway Drainage**: The Highway Authority is responsible for highway drainage. It is the 'riparian owner' of the highway and therefore responsible for blocked gullies and the maintenance of culverts and drains that pass underneath it. They are not responsible for the maintenance of roadside watercourses and ditches. This is normally the responsibility of the adjacent landowner. Flooding information can be obtained from Warwickshire County Council's Website. You will need to contact Warwickshire County Council on 01926 412515 or via their Website Warwickshire County Council Flooding.
[Warwickshire County Council Flooding Information](http://www.warwickshire.gov.uk/flooding).

If you require further information, or wish to report a problem with an ordinary watercourse, please use envhealth@stratford-dc.gov.uk or telephone 01789 267575