

# Q/A SHEET – QUESTIONS FROM PREVIOUS MEETINGS

Did you know? You can report issues such as:

- missed bin,
- abandoned vehicle,
- potholes,
- streetlights,
- graffiti & fly tipping,
- noise.

Please follow this link and fill out a 'report it' form: <https://www.rbwm.gov.uk/home/apply-pay-report/report-it>

MEETING	QUESTION	OFFICER	WRITTEN RESPONSE
09.11.2023	Information on any improvements to lantern lights in Windsor.	Paul Roach, Windsor and Eton Town Centre Manager	<i>TBC</i>
12.03.2024	The overall costs for the emergency response in terms of resources and officer time as well as who paid for this response, and how the Borough would deal with increased frequent and severe flooding and weather.	Elizabeth Griffiths, Executive Director of Resources	<i>TBC</i>
	How frequently the drains being maintained as well as how frequently were the RBWM-managed small waterways were being dredged and cleared under the contracts	Ben Crampin, Principal Flood Risk Manager	<i>Highway gullies are maintained as part of an annual cyclical programme with individual gullies maintained either, once every six months, once a year or twice a year. The frequency of cleaning is dependent on how quickly silt builds up in the gully pot. This is monitored over time and can be changed but these frequencies are not changed as a matter of course and would need evidence to back up the requirement to do so. We would recommend that residents should report issues with highway</i>

			<p><i>drainage whenever this is spotted through the report it links: <a href="http://rbwm.gov.uk">Flooding   Royal Borough of Windsor and Maidenhead (rbwm.gov.uk)</a></i></p> <p><i>There are no watercourses maintained regularly under the current highway contracts. This is because watercourses are the responsibility of the landowners or adjacent landowners to maintain. This includes watercourses which run along the highway as, unless the council owns the verge (not just has it within the highway extent), the adjacent landowner is responsible for maintenance of the channel. This is because, under common law, ditches and watercourses do not make up part of the highway as a vehicle cannot be passed over it.</i></p> <p><i>The Council, as Lead Local Flood Authority, do have enforcement powers which deal with issues of lack of maintenance or the erection of unconsented obstructions within the channels of watercourses. Cases are dealt with on a priority basis determined by points such as impact.</i></p> <p><i>A Factsheet detailing responsibility for maintenance of watercourses and the relevant enforcement powers has been attached for information.</i></p>
	<p>Update on the night bus proposal in Windsor.</p>	<p>Andrew Durrant, Executive Director of Place Services</p>	<p>TBC</p>

# Watercourse responsibilities

## factsheet **Guidance for landowners when maintaining a watercourse on or next to their land or property**

www.rbwm.gov.uk



A watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers passages, through which water flows. This does not include public sewers. Landowners who own land that a watercourse runs through or next to are known as riparian owners.

### Designation of watercourses

There are two designations for watercourses in the UK:

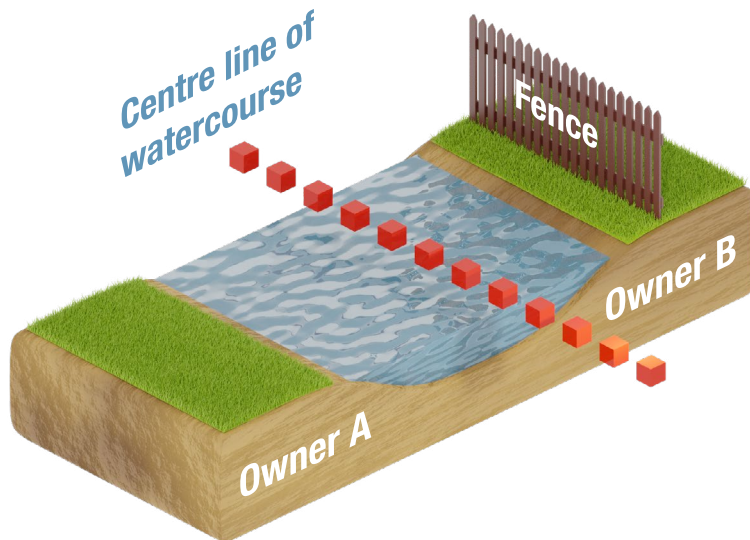
Main rivers are usually larger watercourses but can also be smaller watercourses. Main rivers are designated as such by the Environment Agency (EA) you can see these on the main river map. The EA are also the risk management Authority for flooding associated from main rivers (fluvial flooding).

Ordinary watercourses are simply any watercourse not designated as a main river and may not be mapped. The Royal Borough of Windsor & Maidenhead (as the Lead Local Flood Authority) are the risk management authority for flooding from ordinary watercourses and have powers to ensure watercourses are kept clear of obstructions to the flow of water.

### Ownership

If a landowner has a watercourse running along the boundary of their property, it is usually assumed that they are responsible for maintenance up to the centre of the channel, with the other adjacent landowner being responsible for the other half. This differs for watercourses next to the highway where the adjacent landowner is typically responsible for all maintenance.

If a watercourse runs through a landowner's land, they are also responsible for all maintenance.



### Rights of a riparian owner

A riparian owner must allow water to flow freely through their land without obstruction including times where the watercourse may break its banks, come from another person's property or the downstream capacity of the watercourse is exceeded. Riparian owners should not do anything which causes pollution to watercourses or affects how water will flow.

You have the right to protect your own property from flooding and your land from erosion as long as it doesn't impact the rights of another landowner however you will need consent if works affect the flow or storage of water within the channel of the watercourse.

### Consent

Any works within the channel or near to a watercourse may require a consent or permit. Depending on the type of watercourse you will need to contact:



ROYAL BOROUGH OF  
**WINDSOR &  
MAIDENHEAD**  
WWW.RBWM.GOV.UK

#### Ordinary Watercourses

##### Royal Borough of Windsor & Maidenhead

Emergency number during office hours - 01628 683804

Out of hours emergency number - 01753 853517

Email - flooding.enquiries@rbwm.gov.uk



**Environment  
Agency**

#### Main Rivers

##### Environment Agency

Incident Hotline - 0800 807060

Email - enquiries@environment-agency.gov.uk

## Responsibilities

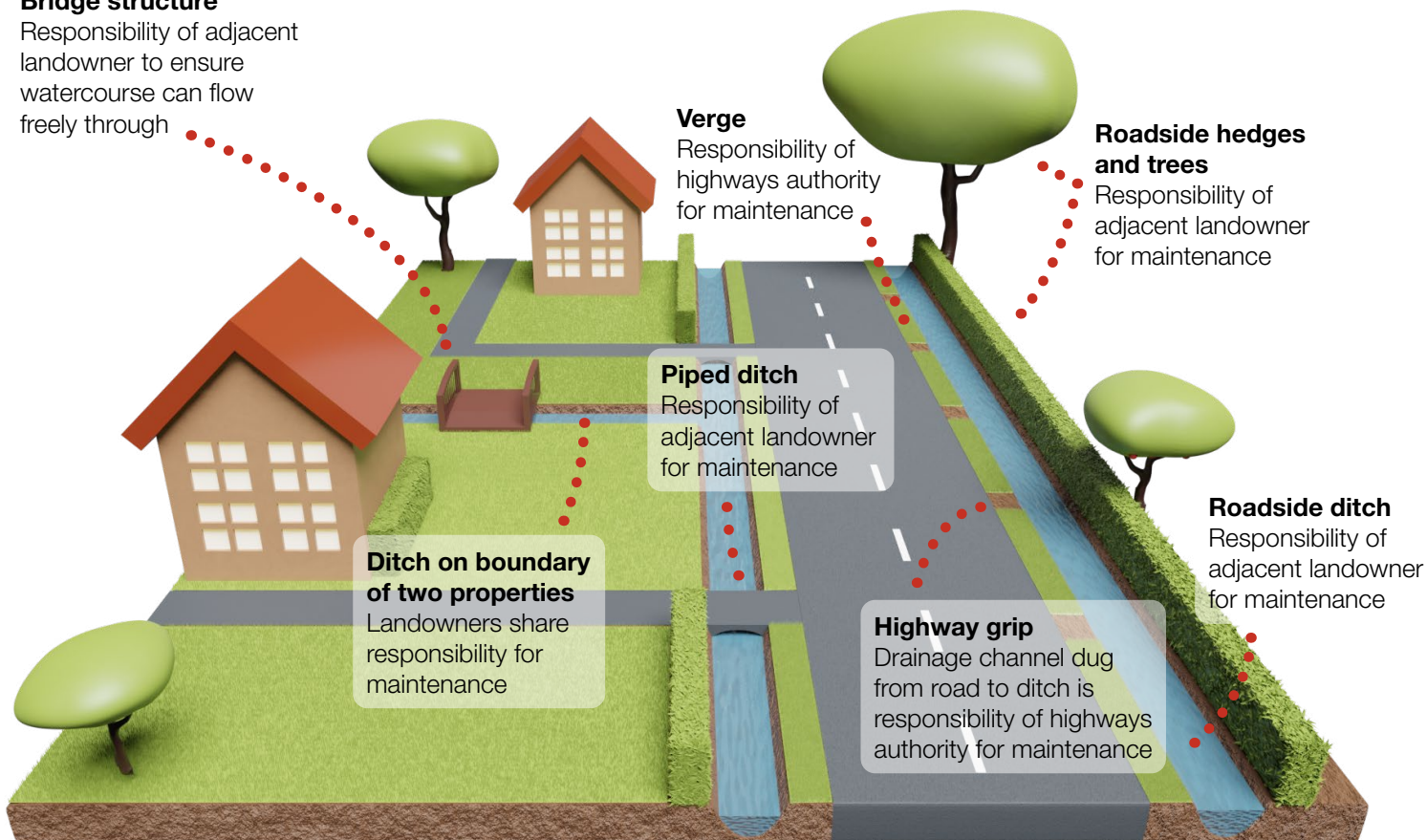
Landowners responsible for a watercourse must:

- ◆ Maintain the bed and banks of the channel, keeping them clear of obstructions to the flow of water which could increase flood risk. However, some work may require consent or a permit.
- ◆ Maintain the flow of water through any culverted or piped watercourses on or next to their land.
- ◆ Keep any structure free of debris, including trash screens, weirs, culverts and mill gates.
- ◆ Not cause any obstructions, temporary or permanent that would stop fish passing.
- ◆ Not allow the watercourse to become polluted. This includes putting garden waste into the channel.
- ◆ Control invasive species (such as Japanese knotweed)
- ◆ Make sure any work is in keeping with the natural river system – work must not damage wildlife and every opportunity should be sought to improve habitats.

## Who is responsible for what?

### Bridge structure

Responsibility of adjacent landowner to ensure watercourse can flow freely through



## Further Information

You can find further information on the Royal Borough website. Visit [www.rbwm.gov.uk](http://www.rbwm.gov.uk) and search 'flooding' or scan the QR code.

