



Guidance for Riparian Owners

A guide to your rights and responsibilities if you own land or property next to a river, stream, or ditch.

Riparian Owners' Rights

If your land boundary is adjacent to a watercourse it is assumed that you own the land up to the centre of the watercourse, unless stated otherwise in your property deeds.

If a watercourse runs through or underneath (through a culvert or pipe) land that you own, it is assumed that you own this stretch of watercourse.

You have the right to protect your property from flooding, and your land from erosion. However, you must get any plans approved by the relevant authority prior to starting work (see the section on land drainage consent).



Riparian Owners' Responsibilities

You must let water flow through your land without any obstruction, pollution, or diversion which affects the rights of others.

You must accept flood flows through your land, even if these are caused by insufficient capacity downstream.

You must keep the watercourse banks clear of anything that could cause an obstruction and increase flood risk, either on your land or downstream. This includes any litter or loose vegetation, even if they did not come from your land.

It is your responsibility to maintain the bed and banks of the watercourse and the trees and shrubs growing on the banks.

You must keep structures, such as culverts, trash screens, weirs, and mill gates, clear of debris.

You must control invasive alien species such as Japanese knotweed. Buckinghamshire Council can advise you on how to manage and control these species.

Ordinary Watercourse Land Drainage Consent

If you want to carry out work that might affect a watercourse's banks, bed or the flow that passes through it, it is likely you will need to apply for land drainage consent. The classification of the watercourse determines which authority you will need to contact.

Main River: If the watercourse is classified as a main river then you should apply for consent to the Environment Agency.

Ordinary Watercourse: An ordinary watercourse is anything that conveys a flow of water that is not classified as a main river; this includes ditches. Apply for consent to Buckinghamshire Council. The Internal Drainage Board covers some areas in the very north of the county.



If you carry out work without consent, then the relevant authority can ask you to restore the watercourse to its original state under the Land Drainage Act 1991.

Further information about the consenting process is available on the Buckinghamshire Council website under 'apply for consent'; including an interactive map which identifies if your watercourse is a main river or an ordinary watercourse and the contact details for the Environment Agency and Internal Drainage Board.

Basic Guide to Maintaining Your Watercourse or Ditch

When to do the work – late September/October as this should minimise impact on nesting or breeding birds and will help prepare for increased winter flows.

What tools/machinery to use – Regular maintenance using hand tools is a lot less damaging to the environment than infrequent maintenance using machinery.

How much to remove – Make sure not to take out too much when removing silt: changing the profile of the channel can increase flood risk upstream or downstream.

Create buffer strips – Keep a vegetated berm on the banks of watercourses; this is important for biodiversity but also helps reduce the amount of sediment going in.

What to do with the spoil – Place it on the bank for a few days to allow organisms to migrate back, but don't place it there permanently as it can easily wash back in.

Check for protected species – Find out if any have been recorded on or near your land; for more information: buckinghamshirepartnership.co.uk/environmental-records

Apply for consent if required – Please remember you may require consent to do this work.

For more information contact:

Buckinghamshire Council's Strategic Flood Management Team



FloodManagement@buckinghamshire.gov.uk



buckinghamshire.gov.uk/flooding