Foul Drain overview
Southern Water - Nothing to report

Rainwater overview
The Pond - Due to illness Ponds UK were unable to visit and quote. This is being re scheduled.

Operation Watershed - The Conway report has been forwarded to WSCC for them to advise whether culverts will be repaired by Highways Operation Watershed money.

The Rife and sea wall

No residents have come forward with any proposals for managing the Rife as a group.

Trees and verges
WSCC verge mainatinance does not extend the full width of the verges! Only 1m. This has left a number of locations very overgrown.
A quotation has been obtained to recover the ditch that was lost between Pond Cottage and Itchenor Gate. PC approval is required to proceed. A number of Riparian Owners are now acting positively to help by removing overhanging trees and bushes that have blocked access to roadside and "Common Land " ditches.
We have no further Information on requests for enforcement.
WSCC have issued a new "partnership process" attached to this report.

Mapping
Updates have not been requested this year pending decisions on the further road culvert works to be undertaken. Mapping work continues downstream from Shipton green to Redlands.

Jim Dunn

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.

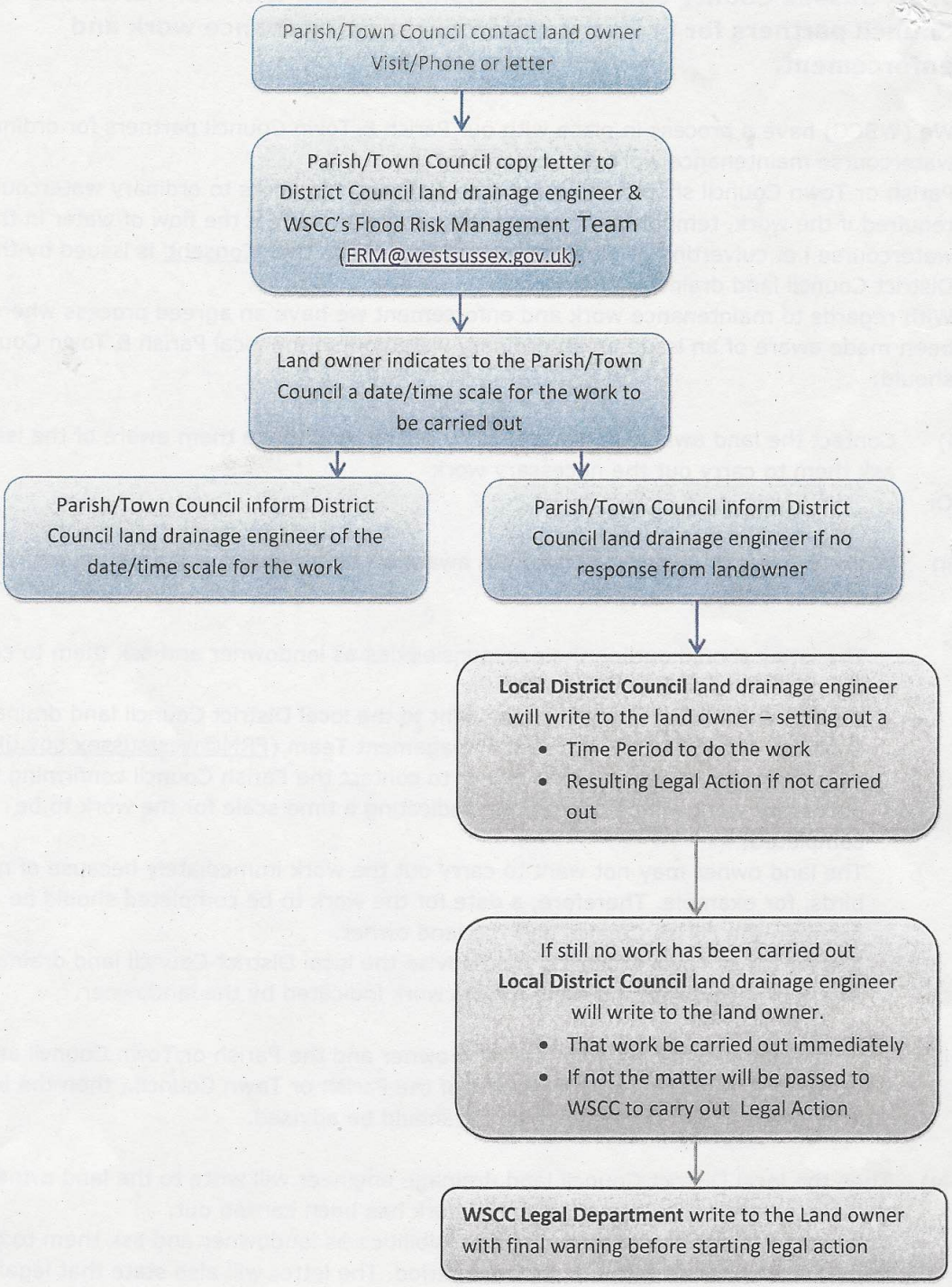
- The letter should outline their responsibilities as landowner and ask them to carry out the necessary maintenance work.
- A copy of the letter should also be sent to the local District Council land drainage engineer and WSCC's Flood Risk Management Team (FRM@westsussex.gov.uk).
- The letter should 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.
- 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.
- 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.


Parish/Town Council contact land owner
Visit/Phone or letter
Parish/Town Council copy letter to District Council land drainage engineer & WSCC's Flood Risk Management Team (FRM@westsussex.gov.uk).
Land owner indicates to the Parish/Town Council a date/time scale for the work to be carried out
Parish/Town Council inform District Council land drainage engineer of the date/time scale for the work
Parish/Town Council inform District Council land drainage engineer if no response from landowner
Local District Council land drainage engineer will write to the land owner – setting out a
Time Period to do the work
Resulting Legal Action if not carried out
If still no work has been carried out Local District Council land drainage engineer will write to the land owner.
That work be carried out immediately
If not the matter will be passed to WSCC to carry out Legal Action
WSCC Legal Department write to the Land owner with final warning before starting legal action

Dear

RE: Landowner responsibilities for Land Drainage

We have recently noticed that a ditch/culvert in *insert road/area* has an obstruction, and we believe that you are the relevant land owner/occupier with responsibility for maintaining the watercourse.

The obstruction in these ditches/culverts has resulted in a backup of water and the build-up of silt *(amend as appropriate)*. This combination of factors is preventing the free flow of water. These are important watercourses, which help drain the surrounding area and prevent local flooding, and as such must be kept clear.

It is not widely understood that the maintenance of such watercourses and culverts (piped watercourses) is the responsibility of the owners of the land through which they pass or the owners of land directly alongside them, called 'Riparian Owners'.

We recognise that these problems could have arisen inadvertently or without your knowledge but we would ask you to undertake the necessary work to remove the obstruction with the ditch dispose of the material in an appropriate manner. It would be appreciated if you could carry out this work as soon as possible.

Please note that the construction of an obstruction contravenes Section 23 of the Land Drainage Act 1991. Under the provisions of that Act, West Sussex County Council has permissive powers which enable it to require riparian owners to maintain the sections of watercourse for which they are responsible. This includes removing any rubbish, clearing vegetation, removal of obstructions to the flow and removing silt, etc. These activities should be carried out regularly to ensure the flow of water in the watercourse is not impeded.

For your benefit, I enclose some guidance notes with regards to the responsibilities of riparian owners you may find useful. I trust you will understand the need for this action to reduce the risk of flooding and would appreciate you letting the Parish/Town Council know when you are anticipating carrying out the work. Should you have any queries regarding this matter, or feel that you might need assistance to undertake the work, please do not hesitate to contact the Parish/Town Council and to see how it can support you.

The Parish/Town Council, thank you in anticipation for your attention to this matter.

Yours faithfully

Tel:
E-mail: