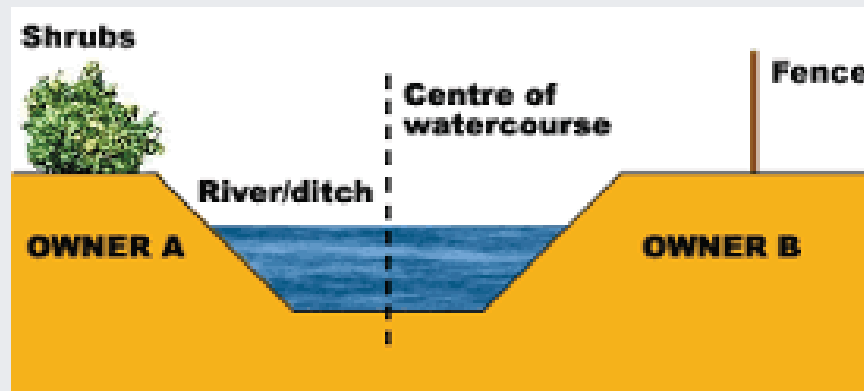




## What is a Riparian owner?

Under Common Law if a watercourse, whether it's open or piped (culverted), runs through or borders a person's property, that person is defined as a riparian owner and has a responsibility to maintain that watercourse and keep it free from obstruction to the flow. Where it borders your property you are normally responsible up to the centre line of the watercourse.



## Your rights and responsibilities

### Your rights...

- Water should flow onto or under your land in its natural quantity and quality.
- You have the right to protect your property from flooding, and your land from erosion.
- You have the right to connect your surface water drains to the watercourse, however doing this will need consent.



## Your rights and responsibilities

### Your 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 inadequate capacity downstream.
- You should keep the banks clear of anything that could cause an obstruction and increase flood risk, either on your land or downstream if it is washed away. You are responsible for maintaining the bed and banks of the watercourse and the trees and shrubs growing on the banks.
- You should always leave a development-free edge on the banks next to a watercourse. This allows for easy access to the watercourse for maintenance and inspection.
- Do not use the banks to dispose of garden or other waste, where it could fall into the river causing blockages and pollution. This includes grass cuttings, which pollute the water.
- Make sure any work you do on a watercourse fits with the natural river system. Work must not damage wildlife and should try and improve the habitat.
- Where it borders your property, you are normally responsible to the centre line of the watercourse.





## How do I know if I am a Riparian Owner?

Open watercourses are usually easy to identify on your property as a ditch or stream. Some watercourses have been culverted (piped) underground making it more difficult to know where they are. Manholes usually indicate where there is culvert but these may not be on your property. They are usually 50m apart and it is assumed the piped watercourse is in a straight line between them. Sefton Council have indicative maps that show where these watercourses are, but these may not be an accurate representation of what is on the ground. Some watercourses are mentioned on property deeds, but this is not always the case. Occasionally a watercourse, especially an artificial one, will be the responsibility of a third party. This should be noted in your deeds, though this may not always be the case.

If you rent your property your tenancy agreement should detail whether the maintenance responsibility lies with yourself or the landlord.

## Land Registry

Historically when areas have been developed for housing or business where a watercourse was present the watercourse may have been culverted/piped or left open. Where watercourses have been left open normally a strip of land is left free from development to allow for maintenance. This strip can be several metres wide. The developer sometimes puts the fence line at the edge of the maintenance strip. However, the land is still registered, with Land Registry, normally up to the centreline of the watercourse, but the deeds will only show ownership up to the property fence

If the land isn't registered to anyone it is assumed that the riparian ownership and maintenance duty lies with the adjacent property.

Detailed information for your property can be requested from Land Registry for a cost of £3. from their website.

