



Bromsgrove
District Council

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SCRUTINY REPORT

WATERCOURSES

—

SCRUTINY REPORT

Task Group Report –
Scrutiny Steering Board
March 2007

ANDY JESSOP - Committee Services Officer

**NOTES OF A MEETING OF THE WATERCOURSES TASK GROUP HELD IN
THE CONFERENCE ROOM, THE COUNCIL HOUSE, BROMSGROVE
ON 31st JANUARY 2007, AT 10.00 A.M.**

MEMBERS: Councillors Miss D.H. Campbell (Chairman), Mrs. K.M. Gall, S.R. Peters, N. Psirides J.P., C.R. Scurrall and C.J. Tidmarsh.

OFFICERS: Ms. H. Pankhurst, Messrs. J. Bailey and A. Jessop were also in attendance, as was Mr. J. Annan from the Worcestershire Wildlife Trust (by invitation)

1 DECLARATIONS OF INTEREST

At the commencement of the meeting, Councillors Mrs. K.M. Gall and N. Psirides J.P. declared their respective personal interests in this topic insofar as they each have a brook at the bottom of their gardens. Also, Councillors Mrs. K.M. Gall and C.J. Tidmarsh declared their respective personal interests as they were members of the Worcestershire Wildlife Trust.

2 MINUTES

The Minutes of the meeting of the Task Group held on the 17th January 2007, were submitted and approved as a correct record.

3 FINAL REPORT

At the conclusion of the last meeting, Members requested that a list of recommendations be brought forward for discussion, and, accordingly, appended to these Notes is a draft Final Report based on the various issues which had been raised by the Task Group over their numerous meetings. Members gave due consideration to the draft Report and raised a number of additional suggested recommendations. On the basis that all the members of the Task Group were present, and that all the recommendations were considered individually (with additions, where appropriate), it was **AGREED** that, notwithstanding that the enclosed Appendix constitutes the "final version" of the draft Report, it be circulated to Members for one final time (with a cut-off date for comments and/or amendments) and, subject to their being no material changes, the Report be forwarded to the Scrutiny Steering Board for consideration at their March 2007 meeting.

The Meeting closed at 12 noon

APPENDIX

BROMSGROVE DISTRICT COUNCIL

SCRUTINY STEERING BOARD

6th MARCH 2007

WATERCOURSES TASK GROUP

Responsible Portfolio Holder	Councillor Mrs. M.A. Sherrey J.P.
Responsible Head of Service	Mike Bell, Head of Street Scene and Waste Management Services

1. MEMBERS

Councillors Miss D.H. Campbell J.P.(Chairman), Mrs. K.M. Gall, S.R. Peters N. Psirides J.P., C.R. Scurrall and C.J. Tidmarsh.

2. TERMS OF REFERENCE

At the meeting of the Scrutiny Steering Board held on 3rd October 2006, it was agreed that a Task Group should be established to scrutinise issues relating to watercourses throughout the District. The Task Group's terms of reference (see Appendix 1), which were compiled by the appointed Chairman, Councillor Miss D.H. Campbell J.P., were approved by the Board at its October meeting, subject to the proviso that flooding, contamination, and health issues be included in the scoping checklist as areas to investigate.. At the Group's meeting held on 29th November 2006, the terms of reference were reiterated and approved.

3. BACKGROUND AND FINDINGS

At the outset, by way of an introduction, John Bailey, an Engineering Technician at the Council, explained his role within the Council, and how his duties and responsibilities fitted in with those of the Environment Agency, the Worcestershire County Council, the Highways Partnership Unit and, to a lesser extent, Severn Trent Water. Members of the Task Group were given copies of maps covering twenty square miles of the District which highlighted Critical Ordinary Watercourses, now controlled as "Main" rivers (e.g. the Arrow and the Callowbrook), the Salwarpe (nominated as a Main river), and the Sugarbrook, Spadesbourne and Battlefield Brooks. Additional maps showing Watercourses with, so far as possible, boundaries indicating ownerships by the County Council (Highways and/or Education), this District Council and "others" were also distributed.

Members were advised that Main rivers were the responsibility of the Environment Agency, that Canals were the responsibility of British Waterways, and that Severn Trent were responsible for Sewers. Some ditches may be classed as Watercourses, if they had a “constant flow” of water passing through them, and open Watercourses, together with Culverted Watercourses that had not been adopted as part of the public sewerage system were not the responsibility of the District Council nor Severn Trent Water, but laid with the riparian owner (i.e. the owner of the land). Insofar as ownerships were concerned, it was noted that, in most cases where disputes arose between neighbours, these were private matters, but that, in the event of an impasse, it was sometimes necessary for the Council to serve notices and carry out the work “by default”. This process requires Committee approval. In the majority of cases, Watercourses formed a “natural” boundary, and common law indicates that persons have an interest up to the centre of the Watercourse as riparian owner, and as such, have a responsibility for the flow of water passing through their land.

These facts raised a concern with Members, and it was confirmed to them that if anyone had been involved in organised “clean-ups” in the past, they were, in fact, trespassing, and should have had the permission of the landowner(s), in case of dispute(s). To illustrate this (ownership) point, reference was made to that part of the Spadesbourne Brook which flows through the town centre by the Bus Station, part of which was the responsibility of the District Council, part County Council (i.e. the bridge) and that the area further down by Woolworths was in private ownership.

Members raised their concerns over the general appearance of the Spadesbourne by the Bus Station and felt that it was perceived by the public that the Council were neglecting its upkeep. It was stressed, however, that the weeds and vegetation present in the brook did act as a natural barrier assisting in the control of the flow of water, as well as acting as a natural habitat for wildlife, although it was conceded that there were some pernicious weeds that did need to be sprayed.

The Task Group met on six occasions, and discussions were held with the following who were invited to address the Group:

The Environment Agency
Worcestershire Wildlife Trust
Worcester County Council (Highways Agency)
Health and Safety representatives
Mr. Richard Gill, a local specialist in Ecological Surveys and Assessments
Ms. Hayley Pankhurst, Local Plans, B.D.C. (Biodiversity)

In addition, all Parish Councils were contacted to ascertain whether there were any particular problem areas within their boundaries, and a number of issues raised were forwarded to the appropriate officer for attention. On the subject of Parish Councils, mention was made of the invaluable service provided in some Parishes by a "lengthsman", a part-time post which was funded by the County Council, and who was employed to check the state of the ditches and Watercourses within their area, and it was generally agreed that, should they not be aware, a letter be sent to all Parish Councils within the District drawing their attention to this service/facility.

During the discussion with the Environment Agency, Members were made aware of the Agency's responsibilities, i.e. with Main rivers, together with those critical Watercourses which have effectively become Main rivers, and although details of areas currently covered were clarified, it was noted that, with effect from 1st April 2007, a reorganisation would mean that Bromsgrove would fall into one of three new areas (Midlands West). It was generally agreed that the general public might well find it difficult to comprehend the demarcation between Authorities, and that, to overcome this confusion, a leaflet/map setting out the relevant information, would be advantageous.

As with the Environment Agency, the Highways Agency also gave a broad overview of their powers, duties and responsibilities, particularly with regard to drainage, highway surface water/flooding issues.

The discussion with the Worcestershire Wildlife Trust centered around Biodiversity Action Plans, and it was noted that the various stakeholders, including this Council, were currently updating the County Plan, which was first produced in 1999. As a party who had previously "signed up" to the original document, the Council had a legal responsibility to protect those species named in the document, and, insofar as our local document was concerned, these included otters, bats, slowworms, great-crested newts, crayfish, badgers, and, perhaps most importantly, water voles, as Bromsgrove was the only area within the County to host such creatures. It was, however, reported with regret that the population of the water vole had been in severe decline since 1900, and, between 1990-1998, 90% of the population had been lost due to habitat destruction, over-management, concreting of channels, de-naturalising of habitat and, more recently, American mink.

Still on the subject of Biodiversity, the Group welcomed Mr. Richard Gill, a specialist in the field of Ecological Surveys and Assessments, to one of its meetings. He was a local resident, and had seen press reports on the setting up of the Task Group, and was willing to offer his services at no cost to the Council. He was happy to offer advice as to how surveys might be undertaken (or even carry one out himself), and hoped that his experience with surveys done on water voles in particular, and biodiversity issues in general, might be of help to the Group. It was noted that the timing of any water vole survey should ideally commence from May, the start of their breeding season.

The discussion with the Health and Safety representative was essentially to canvass his views on procedures and practices which ought to be put in place should the Council engage in any future clean-up campaigns, possibly involving the voluntary sector (e.g. the Probation Service). Members were given a broad overview of Health and Safety issues, and it was stressed that anyone requesting another person to carry out any task has a “duty of care”, and the questions as to who was responsible for supervision, equipment, identification of potential hazards (risk assessment) all had to be addressed and agreed. Suitable training, where appropriate, along with insurance, also has to be arranged. Subsequent to this meeting, copies of a brief guide to Health and Safety at Work requirements for Voluntary Workers were circulated to members of the Group.

At the Group’s final meeting, (inter-alia), officers made reference to an EC Directive on Water Framework, which was due to be introduced sometime in 2009, and which would be looking at the sustainability of Watercourses in terms of water quality, and highlighted that schemes like the Battlefield Brook, which runs through Sanders Park, which was only kept flowing through Severn Trent boreholes, would probably fall foul of the scheme as it would not be deemed as “sustainable” as a result of having to continue to pump ground water out to keep the brook flowing, due to the number of Abstraction Licences in existence. This was noted with some concern (see recommendation 9 below).

4. CONCLUSION

Members admitted to having learned an inordinate amount, and wished to place on record their thanks and appreciation to all those who had attended and spoken at the various meetings, but would like to register their particular gratitude to John Bailey for sharing his vast wealth of knowledge of the Watercourses, etc., throughout the District in a plain, matter-of-fact way, which was understood and appreciated by all concerned.

5. SUMMARY OF RECOMMENDATIONS

1. that, (the enhancement of the Spadesbourne Brook, (from the vicinity of Wilsons Pet Store to the confluence with the Battlefield Brook), having being made a priority by the Task Group at the outset), the provisional recommendation whereby an additional sum of £7,500 was requested to be added to the existing Street Scene and Waste Management budget

(i.e. £5,000 for immediate improvement work and £2,500 for subsequent annual maintenance) be re-affirmed;

2. that the work to be carried out under 1 above include the installation of railway sleepers (to slow the flow of water), the creation of a

weir/cascade in an attempt to entice life back into the Watercourse, and the addition of flower baskets to enhance the appearance;

3. that, as a protected/endangered species, the Council should do all in its power to conserve the habitat of the water vole within the district, and, accordingly, the offer of Mr. R. Gill, a local specialist in Ecological Surveys and Assessments, to carry out, free of charge, a survey of water voles in the town during the summer months, be accepted, with grateful thanks;
4. that, in an attempt to educate and inform the public in this regard, a “Know the Vole” poster be produced and displayed (i) in the Town Centre Notice Board, (ii) by the Bus Station, (iii) on Sanders Park, and (iv) with the permission of British Waterways, on canal towpaths (See Appendix 2);
5. that, further to (4) above, as an organisation who had done some work in this regard in the past, a copy of this Report be forwarded to the Bromsgrove Society, with an enquiry as to whether they would be willing to contribute towards the cost of the provision of any display boards/frames;
6. that, a strategy should be put into place to deal with the very real threat of the American Mink decimating the remaining water vole population. In this regard, it is suggested that the Highways Operative currently employed on the maintenance schedule be requested to check selected sites/feeding stations for the presence of Mink every fortnight for a set period, and report his findings to John Bailey, Engineering Technician;
7. that, as it was illegal to intentionally or recklessly destroy the habitat of the water vole, the Depot/appropriate Grounds Maintenance contractor be made aware of the current “active” sites of the water vole in order to avoid such occurrence (through dredging or mowing). From a Biodiversity point of view, it is suggested that, to improve the management of the Watercourses within the District, a colour-coded system could be introduced, offering minimum maintenance for maximum environmental benefits, i.e., cut one bank; cut both banks; cut once per year, cut every year, etc., and that a schedule be prepared by the Council and/or the Worcestershire Wildlife Trust to be passed on to the appropriate staff in due course;
8. that a planned programme be set up to eradicate Himalayan Balsam, Fools Watercress and Japanese Knotweed from the various Watercourses within the District (Note: this work is only permissible at certain times the year, i.e. May/June for the Balsam and Watercress, and Sept/Oct for the Knotweed
9. Members felt that a degree of engineering work was needed to the Battlefield Brook in Sanders Park in order to give it a “more natural” look, and that sources of funding and/or grant aid would need to be

identified to carry out such work, and, in this regard, the attention of the Executive Cabinet is drawn to paragraph 3.4.4.2 (Battlefield Brook Restoration) of the Sanders Park Management and Development Plan 2004-09. Accordingly, this Task Group would wish to see the £10,000 bid in the current budget submission accepted by the Executive Cabinet in order to facilitate the commencement of the first phase of this work. It was also noted that, as the Environment Agency also had an interest in “naturalising” this Watercourse, that they might be approached to see whether they were able to help financially. Notwithstanding the above, however, the attention of the Executive Cabinet should be further drawn to the implications of the EU Water Framework Directive due to be introduced in 2009, as referred to in the final paragraph of item 3 (Background and Findings) above;

10. it was agreed that more publicity was needed to ensure that the general public know who to contact in the event of flooding, i.e., the Environment Agency, the County Highways, or the District Council – possibly done through a press release or the publication of an explanatory leaflet (see Appendix 3);
11. that, as the County Council were responsible for the discharge of water from roads/highways, closer co-operation was needed between the County and District Councils on highway issues, i.e., more frequent inspection of road gullies and culvert grills; more frequent clearing of grids on the County’s maintenance schedule - was three times per annum, now only as required – this is regarded as totally inadequate;
12. it was agreed that the District Council needs to press for more frequent preventative maintenance of culverts and ditches by the County Council (by possible expansion of the use of “lengthsmen” by the Parishes, a facility available for use through a grant of up to £2,000 funded by the County Council);
13. that, as the District Council had a Biodiversity Action Programme in place (set up in conjunction with the Worcestershire Wildlife Trust in October 2000), a post of Biodiversity Officer should be included on the establishment, or an existing officer’s job description should be amended to incorporate this important ` role within the organisation;
14. that, further to 13 above, as Biodiversity was now an issue which had to be taken into account by local authorities in almost all areas of its work, Members should be made aware of their responsibilities under this legislation, and that, following his recent presentation to officers, an approach be made to Steve Bloomfield, Planning Officer, Worcestershire Wildlife Trust, to enquire whether he would be willing to make a similar presentation to Members in this regard;

15. (i) that clarification be established as to the availability/suitability of any volunteers (e.g. the Probation Service) approached to help in any “clean-up” operations carried out by the Council , and (ii) that, in this regard, the Brief Guide to Health and Safety at Work Requirements for Voluntary Workers provided by the Council’s Health and Safety Office be circulated to all District Councillors and Parish Clerks for information; and
16. that, finally, the Executive Cabinet be reminded that there had been two previous reports on Watercourses and/or the Water Vole in the past, and that this Group hopes that they will give due consideration to the recommendations above, and that they will be proactive where necessary, and not reactive.

6. LEGAL IMPLICATIONS

Possibly (Health and Safety).

7. CORPORATE OBJECTIVES

The objectives meet the Council’s Vision, Values and Objectives insofar as it accords with the Council’s Objective Two (Environment).

8. RISK MANAGEMENT

Health and Safety considerations will be paramount in any “Clean-up” operations involving outside organisations.

9. CUSTOMER IMPLICATIONS

None.

10. OTHER IMPLICATIONS

Please include the following table and spell out any particular implications in the relevant box. If there are no implications under a particular heading, please state 'None':-

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None

Policy	None
Environmental	None
Equalities and Diversity	Yes

11. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Acting Chief Executive	Yes
Corporate Director (Services)	Yes
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

12. APPENDICES (None)

13. BACKGROUND PAPERS

Water Vole Conservation Strategy Document
Worcestershire Biodiversity Action Plan
Report of Bromsgrove Society

CONTACT OFFICER

Name: Andy Jessop
E Mail: andy.jessop@bromsgrove.gov.uk
Tel: (01527) 881406

SCRUTINY EXERCISE SCOPING CHECKLIST

This form is to assist members to scope the scrutiny exercise in a focused way and to identify the key issues it wishes to investigate.

When the Board decides to set up a Task Group to scrutinise a particular subject, the appointed Chairman of the Task Group should complete this checklist. Completed forms will be considered by the Board and by the Task Group as a whole at the Task Group's first meeting.

- General Subject Area to be Scrutinised: Water Courses
- Specific Subject to be Scrutinised: Upkeep, ownership, maintenance

▪ Should the relevant Portfolio Holder(s) be invited to give evidence? **YES/NO**

▪ Should any Officers be invited to give evidence? **YES/NO**

If yes, state name and/or post title:

John Bailey, Mike Bell, Phil Smeeth
Legal Section

▪ Should any external witnesses be invited to give evidence? **YES/NO**

If so, who and from which organisations?

Environment Agency
County Council
Womenskirk Wildlife Trust
Swann Trent Health & Safety Executive

▪ Should the Task Group receive evidence from other sources other than witnesses? **YES/NO**

If so, what information should the Task Group wish to see and from which sources should it be gathered?

Ownership & responsibilities

▪ Should a period of public consultation form part of the Scrutiny exercise? **YES/NO**

If so, on what should the public be consulted?

▪ Have other authorities carried out similar scrutiny exercises? YES/NO

If so, which authorities? Don't know - can we check

What were their conclusions and what can we learn from them?.....

▪ Will the Scrutiny exercise cross the District boundary? YES/NO

If so, should any other authorities be invited to participate?

▪ Would it be appropriate to co-opt anyone on to the Task Group whilst the Scrutiny exercise is being carried out? YES/NO

If so, who and from which organisations? Possibly - maybe later?

▪ What do you anticipate the timetable will be for the scrutiny exercise?

..... Possibly 36 months.

▪ Approximate number of Task Group Meetings? ?

Signed:.....

Chairman of behalf of the: D. H. Campbell Task Group

Date:.....

Please return completed forms to:
Miss D. McCarthy
Committee Services Officer
Legal and Democratic Services
Bromsgrove District Council

Voluntary workers

A brief guide to health and safety at work requirements

January 2007

Ian Peters – Safety Training And Related Services Ltd (STARS)
starsuk@aol.com

Voluntary workers

A brief guide to health and safety at work requirements

The health and safety management of voluntary workers is very much a matter that needs to be determined at the planning stage, with roles and responsibilities fully determined by the time work commences.

When volunteers are asked to undertake work activities, both the **employer** (i.e. the organisation who asks volunteers to provide a service/undertake a task or has knowledge that the volunteers are undertaking work activities in or on an area that they occupy or control) and the volunteers themselves are required to comply with relevant health and safety legislation.

The employer has a responsibility under the **Health And Safety At Work Act 1974** to ensure, so far as is reasonably practicable, the health, safety and welfare of the volunteers and the health and safety of others who may be affected by their work activities.

This requirement means that, in particular, the employer has a legal duty to provide and maintain -

- A safe place of work
- A safe working environment
- Safe access and egress
- Safe handling, storage, maintenance and transport of articles and substances
- Safe plant
- Safe systems of work
- Adequate welfare facilities
- What ever is necessary and adequate information, instruction, training and supervision.

These are broad requirements under the Health And Safety At Work Act and the detail of what is required can be found in other relevant and appropriate legislation.

Persons who control premises or sites that are used by people at work, but who are not their employees (i.e. Volunteers), need to ensure, so far as is reasonably practicable, that the premises which are used by such persons, or by others that have access to them and the plant and the substances used on them, are safe and free from risks to health and safety.

Under the Occupiers Liability Act 1957 and 1984, the occupiers of premises have a duty to take reasonable care to ensure that their visitors are safe. It should be noted that whilst an occupier cannot be prosecuted for a breach of this civil duty, they may still be liable to pay compensation to a visitor who has been injured whilst they are on their premises, even though they are not at work.

The Management of Health and Safety at Work Regulations 1999 are also relevant to clients and the occupiers of premises and sites because of the absolute duty for Risk assessments to be undertaken for all work activities and safe practices and procedures to be determined and put into operation. In a practical sense, this would require an organisation who asks Volunteers to perform work activities to take the following steps –

1. Consider all aspects of the work to be carried out and ensure that a 'suitable and sufficient' risk assessment is undertaken by a 'competent person'
2. Reduce any identified risks to an acceptable level, so far as is reasonably practicable, by appropriate remedial action, if necessary
3. Provide whatever is 'necessary and adequate' information, instruction, training and supervision to enable health and safety at work requirements to be met. The information and instruction element is usually published in the form of a procedure/practice document, which may also contain the role and/or requirements that a supervisory person has to fulfil.

The training requirements depend on what a competent person will determine needs to take place and this will very much depend on the task, the hazards identified and the skills, knowledge and experience of the volunteers in question. It is insufficient to provide only written instruction or information to a volunteer without suitable and sufficient training.

Another factor of the risk assessment process is the requirement to consider the individual capabilities of volunteers if necessary. There is a requirement to consider the individual mental and physical capabilities of all volunteers when undertaking risk assessments and also allocating tasks. In particular, young persons (i.e. under 18 years of age) - because of their lack of work experience and pregnant women - particularly for manual handling operations tasks.

Arrangements should also be made to ensure that suitable and sufficient Personal Protective Equipment (PPE) is provided, worn or used, maintained and replaced as necessary. The Client has a legal requirement to meet the cost of the PPE provision, although it would be acceptable for volunteers to voluntarily provide their own PPE and/or the cost of replacing it, so long as it meets British or EC standards.

Finally, the determination of adequate First aid facilities will have to be made and then provided, together with the emergency arrangements that the volunteers must adhere to should they be necessary to implement.

Should an accident or incident occur, it will need to be reported via the Council's Accident and Incident reporting system. The usual Council post accident or incident procedures will instigate investigation procedures and the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) may also be relevant.

Additional useful reference or reading – HSG192 'Charity and Voluntary workers' – a guide to health and safety at work

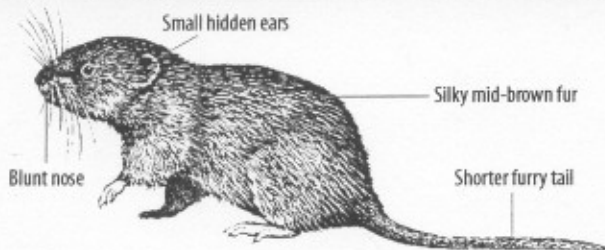


KNOW THE VOLE

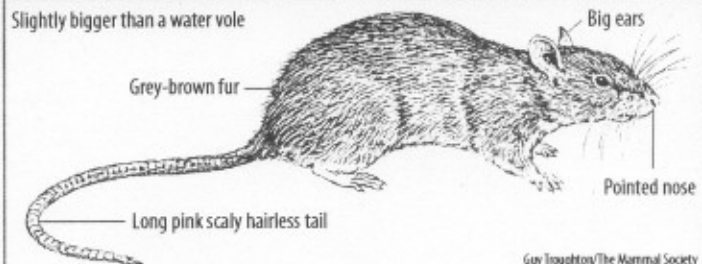
Water voles can be confused with brown rats which are often found near water

Follow our tips so that you can spot the difference

WATER VOLE



BROWN RAT



Guy Troughton/The Mammal Society

You may be surprised to know that Bromsgrove District is home to one of the UK's rarest mammals, the water vole. Sadly, this attractive mammal has declined drastically across the country over the past few decades. Changes in farming practices, pollution, urbanisation, damaging river engineering and predation by feral mink have all contributed towards its gradual disappearance. The rivers and streams in and around Bromsgrove are one of only two strongholds remaining in Worcestershire. As such they are vitally important for the survival of the water vole.

Where do they live? Water voles prefer to live along streams, ditches and rivers with plenty of vegetation along the banks. They burrow into the soft earth along the stream bank, creating a characteristic neat round hole.

What do they eat? Water voles are vegetarians, eating a range of bank-side plants such as rushes, grasses and reeds, as well as the fleshy tubers and roots of plants like yellow flag iris. Look for neatly trimmed stems and tidy piles of cut vegetation near the waters edge.

WATER VOLES ARE PROTECTED UNDER THE WILDLIFE AND COUNTRYSIDE ACT 1981 (as amended)



Bromsgrove
District Council

www.bromsgrove.gov.uk

BUILDING PROGRESS



BROMSGROVE DISTRICT COUNCIL

LAND DRAINAGE ISSUES Along with Watercourse Management (Not Main Rivers)



LOCAL LAND DRAINAGE AUTHORITY

Bromsgrove District Council are such an Authority who can implement its powers under the Land Drainage Act 1991, although these are enforced only where warranted and involve the serving of a notice on the respective riparian landowner(s). However, a result is more often achieved by encouraging all parties concerned to resolve their problems directly.

MAINTENANCE OF WATERCOURSES

For ordinary watercourses, which represent 95% of all watercourses within the District, responsibility lies in general with the respective riparian owner(s). The remainder are classed as main rivers over which the Environment Agency exercise control, eg. Salwarpe - Sugarbrook - Spadesbourne through to Battlefield Brook, plus the River Arrow from Redditch to Radford Road, Alvechurch.

RIPARIAN OWNERS RESPONSIBILITIES

- Maintain an even flow of water without obstruction, pollution or diversion, that affects other users
- Requirement to accept the passage/flow of water during dry periods, or in full spate. There is no duty in common law to improve a watercourse. The overflow of water onto a natural flood plain during storm conditions is to be expected
- There is a requirement to ensure that stream banks are not obstructed by man-made structures
- Litter carried through can be removed at the owners discretion, though naturally such debris should not be released into such watercourses.

CONCERNING DITCHES/DYKES

These are considered to be man made. Though designed to take both surface and ground water, they can take a constant flow like any watercourse.

- Roadside ditches
These are usually part of the backing boundary line (hedge/fence) which in

turn belongs to the associated land, and thus that owners' responsibility.

Certain ditch lines are maintained by the County Council as the Highway Authority, which has a prescriptive right to discharge surface water off the highway into all ditches and watercourses.

- **Field Ditches**
These are the landowners' responsibility to which the County Council still retain the right to discharge into.

CULVERTS/ACCESS DRIVE - FIELD GATES/BRIDGES

These usually belong to the owners in question. They do represent an obstruction, usually due to the lack of capacity within their design, eg pipework just too small. All need to be governed by either the District Council, or by the Environment Agency. The latter are specifically involved with culverts.

FLOODING IN GENERAL

Flooding can be attributed to the lack of maintenance of a watercourse, which is normally highlighted during severe weather conditions. Though the weather can simply overwhelm any situation, such incidents should be recorded by the District Council, and where practical the problem resolved.

This issue can also relate to surface water where it invades from one parcel of land onto another.

WILDLIFE

Water Vole (just one of a number of protected species to be found in our area)



For guidance on wildlife issues
Contact: Worcestershire Wildlife Trust
Tel: 01905 754919

USEFUL CONTACT NUMBERS FOR HELP AND ADVICE

Planning and Environment Services
Tel: 01527 881288

Drainage Section
Tel: 01527 881360

Emergency/Out of Hours/Lifeline
Tel: 01527 871565

Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
B60 1AA

Worcestershire County Council
Community Response Unit
Tel: 01905 768342

Environment Agency
Tel: 01743 272828
(08708 506506)