

Chinnock Brook maintenance Newsletter

On the 16/12/2019 representatives of Somerset County Council (SCC), as the Lead Local Flood Authority (LLFA), walked Chinnock Brook with the Parish Council's Chairman, Robin Carpenter acting as the expedition leader.

The walk was in response to some concerns of maintenance practices and obstructions along the length of the brook through Hardington Moor.

We came across several locations where there were obstructions including; trees, build-up of garden waste and even part of a retaining wall that had collapsed in to the channel.

These obstructions are reducing the cross-sectional area and impeding the natural free-flow of water through the channel. If left unattended there is an increasing risk of flooding.

Each landowner / property owner that has an ordinary watercourse adjacent to or flowing under or through their property's boundary, in this instance Chinnock Brook, is a riparian owner under common law. And as such each riparian owner has a riparian responsibility and duty to maintain their section of watercourse. Please see *Land Drainage Act 1991 Section 25*.

The LLFA has provided information about riparian ownership to and for the Parish Council to disseminate to the Hardington Moor community.

The maintenance / vegetation clearance of Chinnock Brook, and all roadside ditches, which are also riparian responsibility, and the identification and communication of any blocked highway drains in and around Hardington Moor to SCC's Area Highways team would go a long way to building Hardington Moor's flood resilience.

Therefore, we would like to encourage the community to work towards making Hardington Moor as flood resilient as possible and recommend that maintenance work / clearance of vegetation and other obstructions from the stream and ditches in and around Hardington Moor be carried out at the earliest opportunity. Please consider Health and Safety issues such as depth of water and speed of flow before entering the channel.

Riparian owners ideally should have a maintenance regime in place, with the caveat that maintenance works that include cutting of hedges or likely to disturb hedges should not be carried out during the bird nesting season (February to August). Please refer to *The Wildlife and Countryside Act 1981*.

We also came across some unconsented structural works within the Chinnock Brook channel. Any structural works within the channel are likely to require consent prior to commencement of any works and cannot be given retrospectively. Please refer to the following link on SCC's website prior to carrying out any works within the channel <https://www.somerset.gov.uk/waste-planning-and-land/apply-for-consent-to-work-on-an-ordinary-watercourse/> and the *Land Drainage Act 1991 Section 23*.

Experience tells us that a collaborative community approach is the best way to build flood resilience for communities like Hardington Moor.

If you have any questions regarding this matter, please do not hesitate to contact the Flood and Water Risk Management (FWRM) team at Flooding@somerset.gov.uk

Should a member of the public wish to report a blocked highway gully, then may I politely request that contact is made with the local Area Highways Office. Contact can be made via the following email address; countyroads-southsom@somerset.gov.uk or via SCC's call centre on 0300 123 2224.