



Merton Parish Council

Surface Flooding and Drainage Investigation Report 2021

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Surface water flooding can happen to anyone, you don't have to live in a flood risk area to be affected. When a large amount of rainfall overwhelms the drainage system it cannot cope or may be blocked with debris and any excess water could quickly find its way into your property.

Surface water management in parts of Merton is an ongoing problem especially following the most recent months with the UK recording its wettest winter, beating the previous 1995 record.

Merton Parish Council is undertaking a project to investigate and to get a full understanding of the areas within the village that suffer issues with surface water.

Purchasers of property are often unaware of their inherited riparian duties. These are outlined in the Land and Property Act 1925 (Section 62), which states that "a conveyance of land shall be deemed to include and shall by virtue of this Act operate to convey with the land all buildings, hedges, ditches, fences, ways, waters, watercourses, liberties, easements, rights and advantages whatsoever appertaining or reputed to appertain to the land or any part thereof".

This report starts by explaining what a watercourse is and the responsibilities of living next to a watercourse together with Norfolk County Council responsibilities.

Living next to a watercourse

An ordinary watercourse is any natural or artificial channel through which water flows, such as a river, stream or ditch. If you own land bordering an ordinary watercourse, you have certain rights and responsibilities established in common law for many years.

In legal terms you are a 'riparian owner'.

If you have an ordinary watercourse or a main river running through your land or along the boundary of your property you are likely to be the riparian owner or joint riparian owner, unless the watercourse is known to be owned by someone else.

If the land on the other side of the watercourse is not in your ownership you are presumed to be the joint riparian owner together with the landowner on the other side. In the case of joint riparian ownership each party is presumed to own up to the centre line (the middle) of the watercourse and therefore is responsible up to this point.

Your responsibilities as a riparian owner

As a riparian owner you have responsibilities in relation to the watercourse flowing through or adjacent to your property. Your legal duties are to:

- Pass on flow without obstruction, pollution or diversion affecting the rights of others

- Accept flood flows through your land, even if caused by inadequate capacity downstream, as there is no common law duty to improve a watercourse
- Maintain the bed and banks of the watercourse (including trees and shrubs growing on the banks), and clear any debris, natural or otherwise, including litter and animal carcasses, even if it did not originate from your land. Your local district council can give you advice on the removal of animal carcasses.
- Not cause any obstructions to the free passage of fish
- Keep the bed and banks clear of any matter that could cause an obstruction, either on your land or by being washed away by high flow to obstruct a structure downstream. Rivers and their banks should not be used for the disposal of any form of garden or other waste.
- Keep clear any structures that you own such as culverts, trash screens, weirs and mill gates
- Protect your property from seepage through natural or man-made banks. Where such seepage threatens the structural integrity of a flood defence, it may become the concern of the Environment Agency. You may have flood defences such as walls and embankments on your property, which are vital for the protection of both yourself and others. You should discuss the maintenance of such defences with the Environment Agency if you have any concerns relating to these.

These are some but not all of your responsibilities, and failure to carry these out could result in possible civil action from others up stream of the water course.

Your responsibilities as a riparian owner are based on the following legislation:

- Flood and Water Management Act 2010
- The Land Drainage Acts of 1991 and 1994
- Water Resources Act 1991
- National Rivers Authority (now the Environment Agency) Land Drainage byelaws 1981
- The Public Health Act 1936

What is Norfolk County Council responsible for?

Under the Land Drainage Act 1991, Norfolk County Council is the 'operating authority' for ordinary watercourses in 79.3% of Norfolk (the rest is maintained by the IDB). Whilst riparian owners are responsible for maintaining watercourses, Norfolk County Council may take action where an event has or is likely to increase flood risk and relates to:

- Internal flooding of a residential property which can include an attached garage (please note - a detached garage or shed is not considered internal)
- Flooding of critical infrastructure eg hospitals
- Flooding of main roads eg priority 1 and 2 winter gritting routes

In such circumstances the Council will, in line with the Council's Flood and Water Management Enforcement Protocol:

- Inspect ordinary watercourses
- Contact riparian owners where maintenance is required and if necessary, serve notice to require maintenance if water flow is seriously impaired

- Coordinate work along a watercourse where a number of residents
- Take action to prevent unauthorised piping or culverting of watercourses

A number of reports of flooding were received from residents during the period of heavy prolonged rainfall earlier in the year together with photographs.

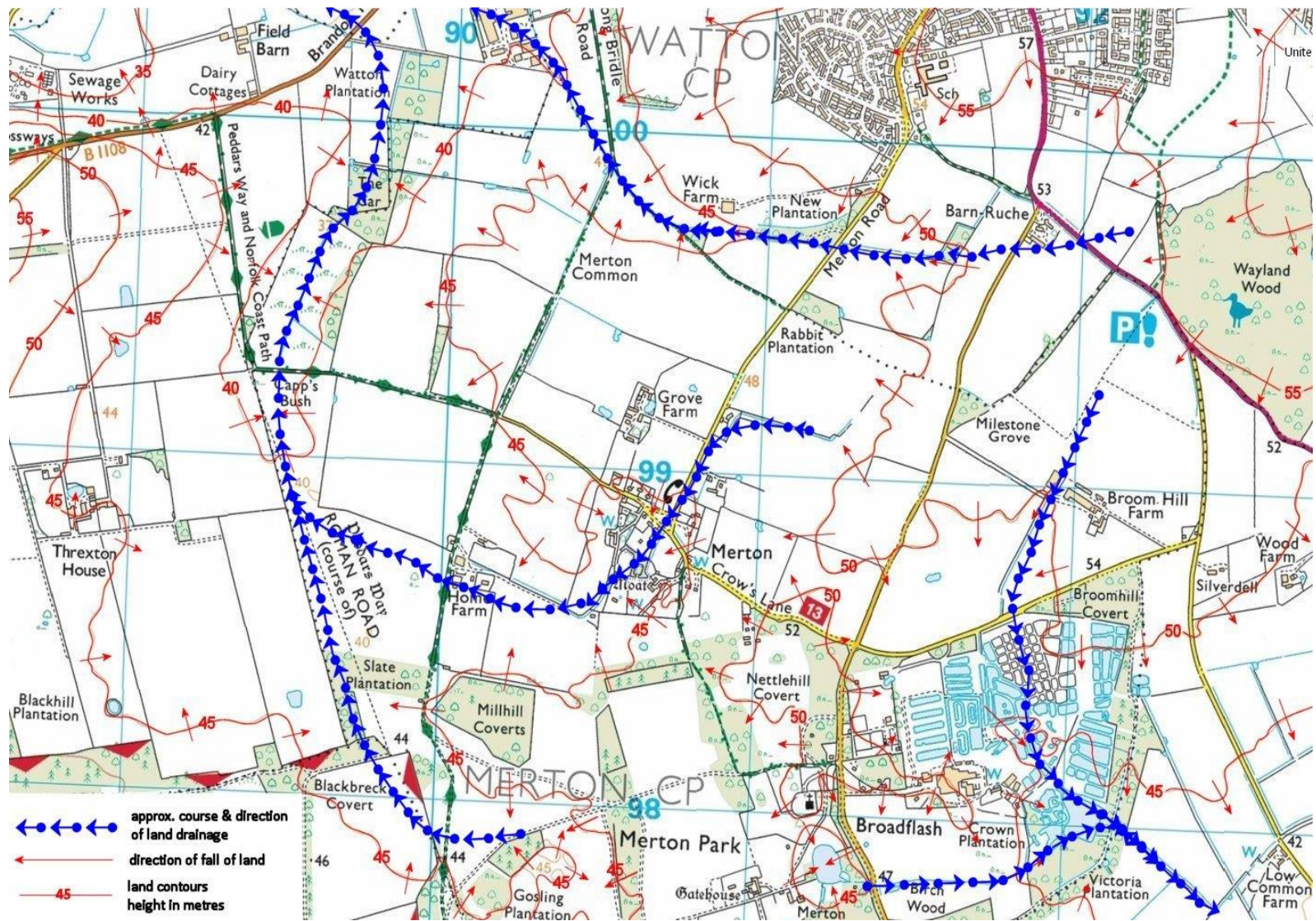






A number of maps have been provided detailing drainage around the village.

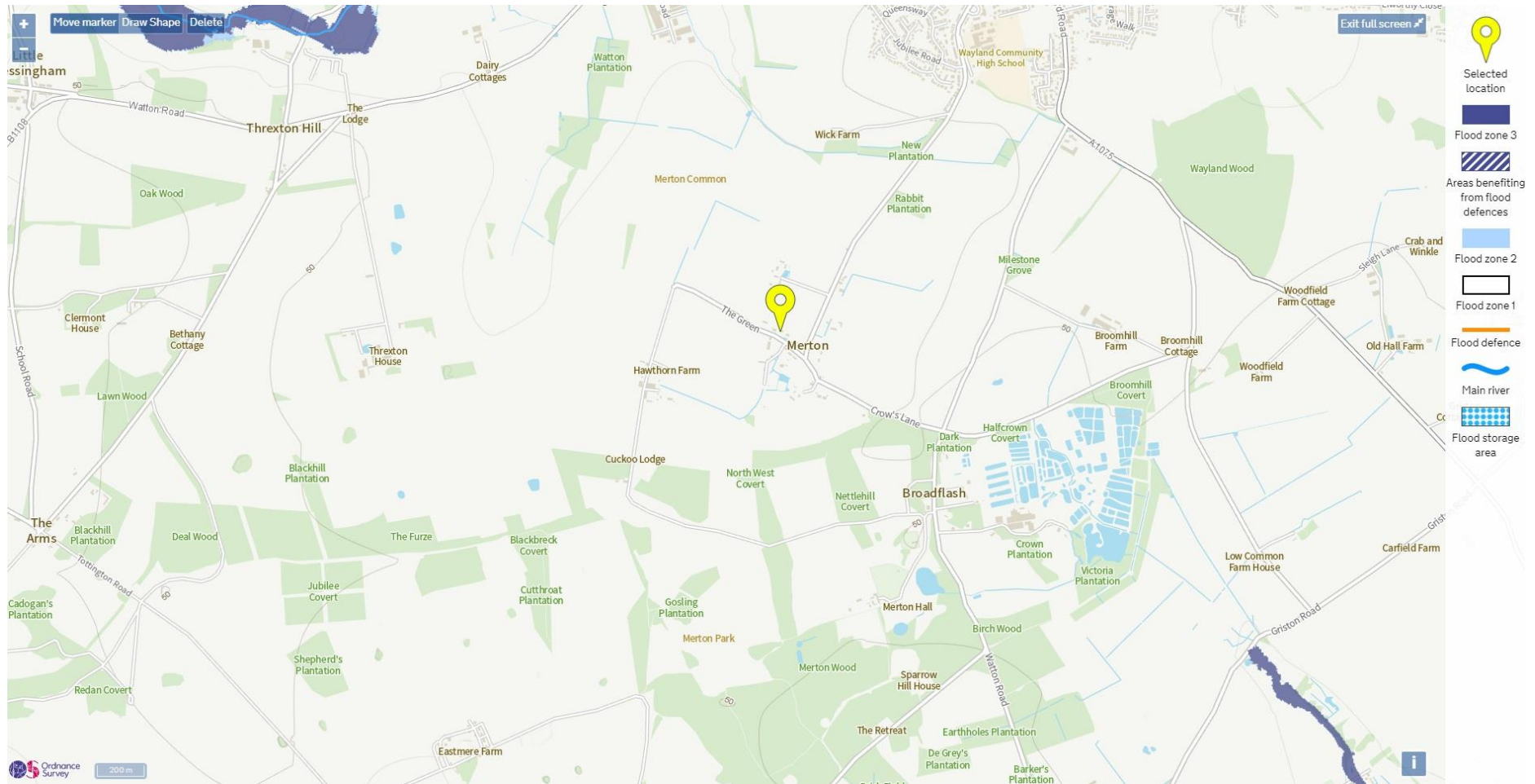
Map illustrating the approximate course and direction of land drainage for the village



Map below focuses on the drainage around the village green



Environment Agency map below of Merton that indicates areas at risk of flooding.



ACTION PLAN PROPOSALS

Plans need to be put in place to regularly check and maintain ditches etc so that the village doesn't suffer again next winter or as soon as we experience a large amount of rainfall.

The Parish Council does not have assigned powers or duties to enforce landowners to take remedial action with drains/ditches on private property but will mediate and liaise where appropriate to help alleviate ongoing flooding risk.

URGENT ACTIONS REQUIRED:

- Ditch at Home Farm Lane needs to be cleared (Landowner to action) – **completed ?**
- Culvert on corner field near the Green to be cleared (Landowner to action) – **completed ?**
- Ditches on Tottington Terrace and The Green to be cleared out. This requires help in identifying all responsible parties as a mixture of individual owners, Breckland, NCC or Housing Association (Cllr Suggitt has offered to assist with this)

ONGOING ACTION PLAN:

- Encourage all residents, where they have a responsibility to maintain a watercourse, to ensure that any ditches etc. are clear of all debris and vegetation to maintain the flow of surface water drainage throughout the village. Ask that this is carried out regularly/as and when required to avoid causing issues to neighbouring properties and throughout the village.
- Check if agricultural landowners have an annual ditch clearing schedule and if not then request they implement one.
- Check with Highways to ascertain schedules for road drain clearing including the clearing of all road drains and under road culverts ensuring no blockages and monitor to ensure this is carried out regularly. Regularly liaise with contact at Highways to ensure actions undertaken.
- Report flooding issues to the Norfolk Strategic Flood Alliance.

This is a living document that will be continually edited and updated as and when actions are undertaken or raised.

NORFOLK STRATEGIC FLOODING ALLIANCE

A leaflet created by the recently formed Norfolk Strategic Flooding Alliance has been distributed to households in Norfolk (copy of leaflet below).

The leaflet details the partners working together to form the Alliance and contains information and advice on how to be prepared for a flood. There is also a pop out card within the leaflet with Norfolk's new one stop number to call in the event of flooding.

The Norfolk Strategic Flooding Alliance is a new taskforce, brought together in early 2021, to work so that Norfolk communities and infrastructure are safer and more resilient to the risks of inland and coastal flooding. The Alliance includes, among others, the Environment Agency, Anglian Water, the Association of Drainage Authorities, the Water Management Alliance, Water Resources East, the Norfolk Resilience Forum, the Broads Authority and Norfolk's County, Borough, City, District and Parish Councils.

As part of its ongoing programme of work, the NSFA has identified sixteen sites across Norfolk that are regularly at risk of flooding. These sites will form the first tranche of locations that the NSFA will inspect with a view to proposing how to minimise or mitigate local flooding risk. The work carried out on this first tranche will inform work across Norfolk in the coming years.

The sixteen sites included on the initial list are located at:

- Burgh Road/Beccles Rd, Gorleston
- Ferry Road, Horning
- A1101, Welney Wash
- Necton
- Burnham Market and North and South Creake
- Tunstead
- A140, Long Stratton
- Norwich Road, Strumpshaw
- Gayton
- Watton/Saham Toney
- Mattishall
- A143 Redenhall
- Yaxham
- Kenninghall
- Cranworth
- Newport Rd/Yarmouth Rd, Hemsby

Each site will see work led by a Lead Agency – Norfolk County Council or Anglian Water, depending on the site – to develop an outline, costed solution that will form the basis of any necessary future funding bids. While flood risk at many of these sites will not prove easy or quick to resolve this work will provide the blueprint for addressing other flood sites across the county.

The NSFA is finalising a Strategy and an Action Plan, to ensure the partnership working between its members continues for the longer term, providing a consistent and recognised forum for responding to flooding in the future.

BE PREPARED FOR FLOODING

Are you at risk of flooding?



More than **42,500** properties in Norfolk are potentially at risk of flooding. During heavy rainfall, surface water floods can occur quickly and put our homes, businesses and our safety at risk.

Fortunately, there are a number of things you can do in advance to prepare for flooding and minimise the impact.

IN THE EVENT OF FLOODING

0344 800 8013

Norfolk's new one stop number for flooding in our county

or visit

www.norfolk.gov.uk/flooding

If you are in immediate danger call 999

Flooding is dangerous and can happen very quickly. The effects can be devastating.

IF IT HAPPENS YOU CAN BE PREPARED

- ✓ Check if you are at risk of flooding visit www.gov.uk/flood and sign up to receive free flood warnings and get to know the flood warning codes
- ✓ Work together with your neighbours to set up a community flood group
- ✓ Consider buying flood protection equipment which will help make your home more flood resilient
- ✓ Know how to turn off gas, electricity and water supplies
- ✓ Remember to charge your mobile phone
- ✓ Make a check list of things to take if you have to leave as part of a Household Emergency Plan
- ✓ Listen to your local radio for up to date information and weather updates

Pop out and keep this card for easy future use

You can report flooding in Norfolk on this line or website

You can also find answers to queries about flooding on our website, or call the number for help accessing information on preparing for a flood



What can I do?

Insurance

- ✓ Check to see if your insurance covers flooding
- ✓ Are your home contents correctly valued?
- ✓ Is your vehicle/caravan covered for flood damage?
- ✓ Keep insurance document details in your emergency kit
- ✓ Take photos of your valuables and store them in your emergency kit with your important documents
- ✓ If you suffer damage due to flooding, take photos of damaged items to help support any insurance claim

Prepare a Plan

You can find a household emergency plan template and other information on the Norfolk Prepared website

Find more at www.norfolkprepared.gov.uk

Your household emergency plan should include details of:

- ✓ Your key contact numbers and details e.g. insurance
- ✓ How will you receive flood warnings?
- ✓ What home flood defences do you have, where are they and how long do they take to install?
- ✓ If you have to leave your home, where will you go?
- ✓ How will you protect your possessions such as furniture etc?
- ✓ How will you protect your valuable and irreplaceable items?
- ✓ How will you protect your pets?



Who's Who

Flooding Roles and Responsibilities

Department for Environment, Food and Rural Affairs (DEFRA)

Government Department responsible for planning for national flood emergencies.

Environment Agency

Government agency responsible for maintenance and monitoring of main rivers, sea, and tidal rivers, flood warning systems and the Lead Authority for flood risk management in England and Wales for main rivers.

Norfolk County Council

The Lead Local Flood Authority for Norfolk, co-ordinates local flood risk management and responsible for Highways drainage.

Borough, City and District Councils

Supports the local community and provides accommodation in emergencies, such as evacuation and rest centres.

Norfolk Resilience Forum

A group bringing together key partners and supporting agencies to plan for, respond to and recover from emergencies in Norfolk.

Water Providers: Anglian Water and Essex & Suffolk Water

Water companies operating in the East of England, responsible for flooding from public foul, combined and surface water sewers as well as flooding from burst water supply pipes.

Internal Drainage Boards (IDBs)

Provides flood defences and water level management in low lying areas and responsible for maintenance and protection of key watercourses.

Parish Councils

Able to advise agencies of local flood issues and implement their emergency plan until more help arrives.

To find out more about each of these organisations, including how to contact each of them, visit:
www.norfolk.gov.uk/flooding

Helpful Contacts

You can report flooding to the new Norfolk Flooding Hotline on **0344 800 8013**. This is your single point of contact for flooding in Norfolk. **If you are in immediate danger call 999. You can also report issues caused by flooding in a number of other ways:**

- ✓ **The Environment Agency Floodline:**
0345 988 1188
- ✓ **Norfolk County Council Highways:**
0344 800 8020
- ✓ **Report a power cut:** dial 105
- ✓ **Report a gas leak:** 0800 111 999
- ✓ **Report a water leak:**
Anglian Water customers: 0800 771 881
Essex & Suffolk Water customers: 0800 526 337
- ✓ **National Flood Forum:** 01299 403 055
For independent advice for those who have suffered flooding.



If you do need to have damage to your property repaired, beware of rogue traders. Consider using a Norfolk Trusted Trader. Call Trading Standards on **0344 800 8020** or visit www.norfolk.gov.uk/trustedtrader for more information.



Norfolk County Council

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