



COPYTHORNE PARISH COUNCIL

NEWSLETTER: JULY 2016

In this issue: The responsibilities of Riparian Owners in respect of hedges, streams and watercourses, major Local Government reorganisation in Hampshire, a proposed new Play Area for the Parish, and The Women's Institute is looking for some help with storage.

The Parish Council Newsletter

Welcome to the July edition of the Parish Council Newsletter. A copy of the Newsletter will also be available on the Council's website early in July.

Maintaining Trees, Hedges and Watercourses

One of the duties of the Council is to maintain oversight of the condition of the various parts of our environment, including monitoring the trees, hedges and watercourses and any issues these may bring in terms of access to pathways etc. As you know, we have a Lengthsman scheme in place which carries out projects commissioned by the Council for minor works in our community.

However, there are many cases where we receive reports of hedges and undergrowth obstructing highways, footpaths and pavements plus areas where watercourses and ditches are not being kept clear. Where the land from where the problem emanates is privately owned, the Council can't carry out works to rectify the situation unless it poses a significant hazard. In respect of watercourses and ditches, 'Riparian' owners have a duty to maintain them to ensure they function properly and do not cause flooding or damage further upstream.

As these issues become particularly evident at this time of year, as the natural growth of hedges, bushes and trees is in full swing, the Council is very aware of the need to make sure that Riparian duties are undertaken by owners.

At its meeting on the 14th June, the Council agreed to write letters to:

- all Riparian owners where we have reports of a lack of maintenance of ditches and watercourses asking to keep them clear, and
- frontagers and owners to undertake maintenance where potential obstructions to pavements and paths are occurring due to undergrowth, hedges and trees

While it can only encourage owners to undertake the necessary maintenance, the Council is very

keen to ensure that it regularly takes place to limit the potential for flooding and also create good access for our community to all pathways and pavements. If you are aware of any of these issues, please contact the Parish Council Clerk with details.

More information on this will be available alongside this Newsletter on the Parish Council web site in early July.

Consultations on Hampshire's Future

Parishioners may already be aware of major changes which the Government has set out in its **Cities and Local Government Devolution Act, 2016**. The Act is designed to introduce directly-elected Mayors to combined local authorities in England and Wales and to devolve housing, transport, planning and policing powers to them.

This would be the most significant change to Local Government structures in Hampshire since the current system was set up 42 years ago and would also sweep away District and Borough Council tiers of Local Government in favour of 'super authorities' with directly elected Mayors with considerable executive powers.

Both Hampshire County Council (HCC) and New Forest District Council (NFDC) have considerable concerns about the implications of the Act in terms of local accountability and connectivity with communities

- HCC favours a unified Hampshire Authority to include the Isle of Wight, but there are other models proposed, such as one which effectively breaks up Hampshire as a Council.
- NFDC is concerned about the abolition of District Councils and has now set up a study with other Districts to 'test' the impact of all the options on communities.

There has been some criticism of HCC regarding public consultation on this major issue. As a result, the County has announced that it will

shortly be undertaking a public consultation and the Parish Council will ensure that Parishioners are aware of the consultation once it is published.

This is a major issue for everyone in the County and all the different bodies within it and the Parish Council is concerned about the loss of close contact with what would be the new Unitary Authority, to the detriment of its work on behalf of the local community, as a greater 'distance' would be created between ourselves and the next layer of Local Government. **Watch this space for more information!**

Also, keep an eye on the Parish Council website for some more information on this, in the near future, once more detail is published.

A Potential New Playground in Copythorne

At its meeting on 14th June, the Council received a presentation from Laurie Gibb about the potential provision of a Playground within the grounds of the Parish Hall.

She reported that she had undertaken research to ascertain what play facilities were provided in other local parishes and the potential demand which might exist in Copythorne.

This would clearly be a significant asset to the community, and the Parish Hall Committee has recently made an 'in principle' decision, to potentially to make available an area for the play facility on the Parish Hall site. However, much more planning and development work was needed before anything could be in place.

The Parish Council continued to reiterate its support for the principle of a play park being provided on the Parish Hall site and proposed that Laurie and her colleagues:

1. Form a project group to work on the potential provision of a play park;
2. Establish proper banking facilities to manage the funding (the Parish Council is unable to provide direct support, and
3. To prepare a business plan with indicative costs and plans that could then be considered by both the Parish Hall Management Committee and the Parish Council.

Following the Council meeting, Laurie is seeking to form a group Committee to take this development forward and we will keep readers of this Newsletter posted on how this exciting possible facility for our children develops!

A request for help from the WI

We have had a request for help from the ladies of the WI:

If you were at the carnival you would have seen their wonderful winning float entry and we're sure you would agree that much work and effort went into producing such a great design.

However they are now desperately in need of a donation of a storage area for the materials they use each year to produce the floats. Do you have some reasonably dry lock up space they could use?

If so, please contact Sue Winchester on:
Telephone: 02380 813911 or 07824 326031 or
Email: nuttlebury@gmail.com

Parish Council meetings

The Council currently meets on the second and fourth Tuesdays of the month at 7.00 pm in the Copythorne Parish Hall (rear extension). Members of the public are very welcome to attend the meetings and speak on any matter of concern at the start. The dates of the next few meetings are:

Tuesday 12 th July 2016	Planning Meeting
Tuesday 26 th July 2016	Full Council Meeting
Tuesday 9 th August 2016	Planning Meeting

*The Clerk to the Council (Michael Mortimer) can be contacted at Riverside House, Riverside Gardens, Romsey SO51 8HN. Telephone and fax 01794 511379, e-mail copythornepc@btinternet.com. Website: www.copythorne.org.uk. Details of individual Parish Councillors, as well as information on District and County Councillors, can also be found on the Parish Website and on community notice boards.

A guide to the rights and responsibilities of living by a watercourse

Riparian Ownership

The purpose of this guide is to:

Explain the rights and responsibilities of property owners and residents whose property is adjacent to a river, stream, brook, drainage ditch, culvert or other watercourse

What is a Watercourse?

A watercourse is defined as any channel through which water flows and can be open or enclosed underground as a culvert. Watercourses may be classified as either main rivers or ordinary watercourses.

Main Rivers

Main rivers are usually larger streams and rivers, but also include smaller watercourses of strategic drainage importance. A main river is defined as a watercourse shown as such on a main river map, and can include any structure or appliance for controlling or regulating the flow of water in, into or out of a main river.

The Environment Agency's powers to carry out flood defence works apply to main rivers only. Main rivers are designated by the Department of Environment, Food and Rural affairs.

Ordinary Watercourses

An ordinary watercourse is every river, stream, ditch, drain, cut, dyke, sluice, sewer (other than a public sewer) and passage through which water flows which does not form part of a main river.

Critical Ordinary Watercourses

Watercourses which are not classified as 'main river' but which the council has agreed with the Environment Agency to be critical because they have the potential to put at risk from flooding large numbers of people or property.

Watercourses occur naturally, they serve to drain the land and assist in supporting flora and fauna.

Historically, watercourses have taken surface water run off from buildings and roads, as well as fields and parks. In the process of development many have been culverted or changed in other ways.

In normal conditions the watercourse may be a dry channel in the ground.

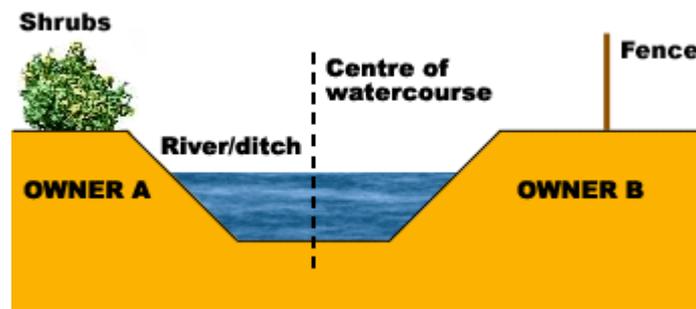
In storm conditions it may become a raging torrent.

Continued development tends to increase the rate at which water is discharged to a watercourse, (even though adequate safeguards to prevent this are available), a process that could lead to increased risk of flooding if not controlled.

Who is a Riparian Owner

Under common law you are the riparian owner of any watercourse within or adjacent to the boundaries of your property.

Where a watercourse is sited between two or more property boundaries each owner may be equally responsible.



Riparian Owners Rights

You have the right to receive a flow of water in its natural state, without undue interference in quantity or quality.

You have the right to protect your property against flooding from the watercourse and also to prevent erosion of the watercourse banks or any structures.

Riparian Owner Responsibilities

As a riparian owner your responsibilities include the maintenance of the bank and bed of your section of watercourse, in order to avoid any obstruction of flow in the watercourse.

Riparian Owners and the Law

Your responsibilities as a riparian owner are based on legislation. The principle legislation is summarised below:

- ❖ The Public Health Act 1936.
- ❖ The Land Drainage Acts of 1991 & 1994.
- ❖ Water Resources Act 1991.
- ❖ National Rivers Authority (now the Environment Agency) Land Drainage Byelaws 1981.

The most common problems affecting watercourses are:

- ❖ Failing to keep vegetation growth under control.
- ❖ Failing to obtain consent for installing pipes or culverting of watercourses
- ❖ Disposal or storage of garden or domestic rubbish, waste etc. on the banks of watercourses.

Implementation of Legislation

In an effort to reduce the risk of flooding the council aims to improve and maintain an effective watercourse system through a process of co-operation, liaison, advice and assistance wherever possible. Enforcement of legislation will only be used where necessary to resolve problems.