

Comments and Observations on Proposed Drainage Byelaws

The following observations and questions were raised by Cllr Jeans at the Environment Select Committee on 10 December 2013. The replies are set out below:

1. Page 92 paragraph 8. Regarding no development within 8 metres of a watercourse, as in Mere, permitted light weight garden sheds without foundations etc., will these be brought into this. Is existing excluded?

Paragraph 10 refers to the 8 metre distance from watercourses. The Byelaws would mean that new development would need to receive permission from the Council. Depending on circumstances, light weight sheds and similar structures could be permitted provided they did not adversely affect flood risk or watercourse maintenance. It would not affect existing structures or sheds.

2. Page 93 paragraph 17, will this apply to the utility companies, i.e. someone wanting an overhead telephone line to their property?

Public utilities are exempt from the provisions under paragraph 27 of the Byelaws. They would not need permission from the Council in order to provide service supplies.

3. Page 95 paragraph 25, removal of boards, will the placement require the landowner's permission as without it on private land, can he or she remove?

Boards could only be placed on private land by the Council with the permission of the land owner.

4. Page 96 paragraph 27 extended from page 95, (vi) any local authority, does this include a town or parish council?

Town and Parish Councils are not considered to be 'Local Authorities' under Section 72(1) of the Land Drainage Act.

The following question was raised on the Southwest Wiltshire Community Matters website:

1. Why do we not see/hear much about dredging all waterways, including ditches, any more which prevented most flooding? Surely this is cheaper than paying out for draining flood waters, repairs etc., and people would stand a better chance of getting properties insured.

- 2.

The responsibility of keeping watercourses clear generally rests with the landowner. With regard to dredging the Environment Agency's view is that dredging river channels does not make them big enough to contain the huge volumes of water during a flood. When a major flood occurs, water soon fills the river and enters the floodplain. The floodplain is an area of land over which water naturally flows during flooding. Even major dredging will not free up enough space in the river channel to stop this from happening. Nevertheless, it is important that watercourses are kept clear of obstructions and the proposed Byelaws will give the Council additional powers in connection with this.