Redditch Borough Council
Ditches and Other Minor Watercourses

Rivers, streams and the like, which convey running water throughout the year or a substantial proportion of it, are controlled by Redditch Borough Council (RBC), in its capacity as Local Drainage Authority, in accordance with the Land Drainage Act (LDA) 1991. In addition, for Main Rivers – River Arrow and Shell Brook, the Environment Agency is the principal regulatory body. The Shell Brook comprises of – The Wharrage, Wixon Brook, Swan's Brook and Bow Brook where these flow one into the other, within the RBC area.
(Any enforcement actions are pursued by means of Section 25 LDA 1991).

Restoration and improvement of ditches is generally dealt with by means of the Agricultural Land Tribunal in accordance with Section 28 of LDA 1991. Roadside ditches draining a public highway are slightly different in that the Highway Authority, Worcestershire County Council (WCC) has certain powers and responsibilities under the Highways Act to ensure that drainage arrangements for the highway are satisfactory.

In all cases, the principal responsibility for maintenance lies with the riparian landowner(s) concerned. Typically, the centre of a ditch or watercourse denotes the actual ownership boundary, irrespective of whether there are any hedges or fences present. These merely denote operational boundaries to secure stock and other property. The latter definition also applies in the case of roadside ditches, as normally ownership extends up to the centre of the highway from adjacent land(s).

RBC has a considerable amount of land drainage assets (43.6 km, nearly 44% of total) which are maintained as part of a Term Contract by Asset Maintenance. In addition, we have a continued working arrangement with WCC to inspect/cleanse their land drainage assets (excluding roadside ditches), as part our management regime of these assets on one or both sides of the highway. The responsibility for ditches within RBC land generally lies with the respective service unit, who may also be responsible too, for short lengths of ordinary watercourse. Assets budget excluding WCC contributions for 2009/10 is £110k.

RBC has not had a dedicated, full-time Land Drainage Officer since the mid-1990's. Consequently, any efforts made in exercise of our powers and responsibilities, has been on a shared-time basis. Inevitably, our focus has had to be with the principle watercourse network and in light of the Government's Pitt Review findings, this policy need to be carefully re-considered. The Draft "Flood and Water Management Bill" was published for consultation on 21 April 2009 (to be responded to by 24 July 2009).

Ditches where they exist(ed), do provide valuable storage and conveyance capability, especially during extreme events. Due to the character of the urban area, such assets are mainly the responsibility of Landscape as part of their woodland and parkland management regimes. However, there are substantial rural areas within the southern and western areas of the Borough, which are not within RBC's immediate operational control.

There are also considerable contributory areas, chiefly to the north and west of the RBC boundary, which drain into our watercourse network (from Bromsgrove District Council's administrative area). We have no control over these whatsoever and rely on our neighbouring authorities to exercise due diligence.

It is recognised that a considerable amount of ditches may have already been lost or are not being maintained to a sufficiently high enough standards. However, there are insufficient resources available for improved levels of service at the current time. With the possible effects of Climate Change increasing in significance, and changing, primary legislation, this policy should now be carefully reviewed. Each improved ditch could act as a mini-reservoir, thereby increasing storage potential and possibly also reducing the rate of peak flows to the main watercourse network. Clearly one of the areas of focus highlighted by the Pitt Review, was the need for stronger links and controls to be established as part of the Planning Process.