

*If you are unsure about anything within these notes, then please contact the Flood Risk Management (FRM) team using the details at the end of this document.*

### What is surface water flooding?

Surface water flooding, often referred to as pluvial flooding, occurs when rainwater or other precipitation does not drain to the subsoil/watercourse but lies on or flows over the ground surface instead. Surface water flooding is often associated with all other sources of flooding and is often related to runoff over steep sided land.



**Surface water flooding in Derbyshire**

### How do I know if I'm at risk of surface water flooding?

To find out if you may be at risk of surface water flooding you can look online using the Environment Agency's '**flood warning information service**'<sup>1</sup> or by contacting the FRM team.

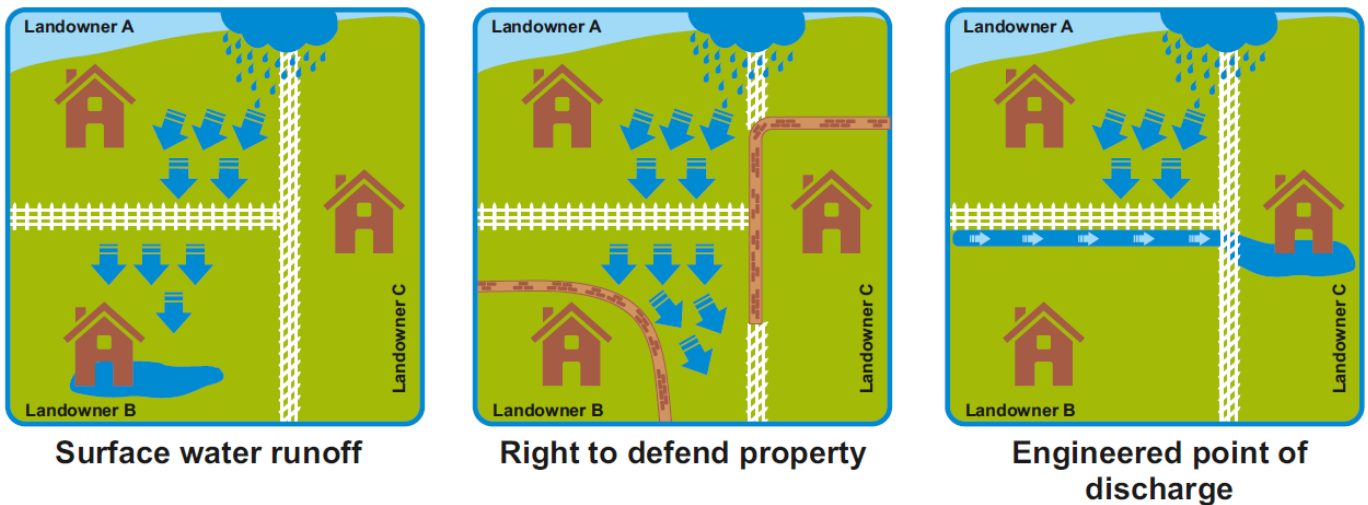
### Who is responsible for surface water flooding?

Whilst the Flood and Water Management Act (2010) requires the Lead Local Flood Authority (LLFA) to coordinate the management of surface water, there is no legislation which governs the management of surface water.

Under Common law (also known as case law) a property owner is required to manage their property/land in a way that does not increase the risk of flooding to neighbouring property. For example: they may not engineer a means to pass on surface water which increases a neighbour's risk of flooding or causes damage to neighbouring property (please refer to Figure 1).

<sup>1</sup> <http://flood-warning-information.service.gov.uk/long-term-flood-risk>

A landowner has the right to defend themselves from surface water runoff, however landowners at a higher elevation do not have a legal responsibility to attenuate water to prevent it from affecting land at a lower elevation in quantity and/or quality. See figure 1 below.



**Figure 1: You have the right to defend your property from surface water but must not engineer a point of discharge**

### How to manage the risk and impacts of surface water flooding

It is recommended that you gather as much information as possible to determine and understand your level of risk. You can start by looking at the following:

- Review the Environment Agency's '**flood warning information service**'.
- Seek a flood mitigation property survey
- Install flood resilient or resistant products (property level protection). You may wish to contact the National Flood Forum or the Flood Advisory Service for assistance/advice. It is always worth checking with the Local Planning Authority to determine whether these products may require planning permission.
- Consider flood insurance.
- Join a local Flood Action Group.
- Create a personal contingency plan to manage before, during and after a flood (please refer to the **Before, During and After a Flood Guidance Notes**).



**Example of a flood defence product**

The **National Flood Forum**<sup>2</sup> is an independent charity dedicated to supporting and representing communities and individuals at risk of flooding. The National Flood Forum also publishes a directory of products and services designed to help protect against flooding; this is known as the '**Blue Pages**'<sup>3</sup>. Please visit their website or contact them via telephone on **(01299) 403055**.

## Sustainable Drainage Systems (SuDS) and Surface Water Management

Traditionally surface water has been managed by using underground piped systems to transfer water to local watercourses or local sewerage works as swiftly as possible. Sustainable Drainage Systems or SuDS provide a slower more sustainable approach and can provide a multitude of benefits for managing surface water including helping to reduce flood risk.



**Example SuDS:  
A roadside swale**

### Frequently asked questions

*An adjacent landowner is piping collected surface water onto my land. What can I do?*

If a landowner has engineered a point discharge on to your land, it is recommended that the affected landowner liaises with the responsible landowner in the first instance. The FRM team actively promote this line of communication to help to resolve all issues. If you would like to discuss any issues first and require the support of an officer of the FRM team to help liaise with the responsible landowner, please use the contact details at the end of these guidance notes.

An engineered point of discharge may be deemed a nuisance. You may wish to contact your District/Borough Council who can advise further in respect of 'nuisance' and Section 259 'Public Health Act' 1936.

If communication lines break down and should you believe your property remains disproportionately at risk of surface water flooding due to the actions of a neighbouring landowner, then it is advisable to contact the Citizens Advice **[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)** who may be able to provide independent advice.

<sup>2</sup> [www.nationalfloodforum.org.uk](http://www.nationalfloodforum.org.uk)

<sup>3</sup> [www.bluepages.org.uk](http://www.bluepages.org.uk)

*Who should I call in the event of surface water flooding?*

If flood water has the potential to enter the living areas of your property and you feel that sandbags could help, then they are supplied in line with the [County Councils Flood Response Policy](#). However, it should be noted that during a flooding event, the demand for sandbags is very high, and the county councils' resources are stretched, so wherever possible, residents and businesses are encouraged to provide their own flood protection measures.

In extreme circumstances where residents may need to be temporarily evacuated from their home, further help will be provided by the County Council. Please also be aware that the FRM team offer advice but are not an emergency service, and do not have the resources to provide a reactive service.

*A gully outside my house is blocked and threatening to flood my property. Who shall I call?*

If a known County Council asset (i.e. Highway gully or culvert) is blocked during a storm event and is causing or exacerbating flooding then it should be reported to the County Council's Highways team Call Derbyshire on **(01629) 533190**, or 'Report a blocked drain' <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/road-maintenance/flooding/flooding-drainage-and-gullies.aspx>

*Who should I call after I have been flooded by surface water?*

If the flooding relates to a blocked gully or Highway asset please call Derbyshire's Highways team via Call Derbyshire on **(01629) 533190** or online via 'Report a blocked drain' <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/road-maintenance/flooding/flooding-drainage-and-gullies.aspx>

If the flooding is being caused by a foul or surface water sewer, then it should be reported to the local water company. If you are unsure of your provider, please refer to your water utility bill.

- Severn Trent Water – 0800 783 4444
- Yorkshire Water – 0345 124 24 24
- United Utilities – 0345 6723 723

For any other causes of surface water flooding please contact the FRM team on the details at the end of this guidance.

**Derbyshire County Council**  
Flood Risk Management Team  
Economy, Transport & Communities  
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Call Derbyshire: (01629) 533190  
Email: [flood.team@derbyshire.gov.uk](mailto:flood.team@derbyshire.gov.uk)