

Chief Executive – Mrs Karen Daft

Operations Engineer – Nick Morris

29th September 2020

**This matter is being
handled by
Karen Daft**

To: All Ratepayers

Dear Ratepayer

Re: Maintenance of Drains
Statutory Notice of Intended Entry
Land Drainage Act 1991 – Sections 14, 15 and 64

This is Notice of Intended Entry onto land and is for the attention of all ratepayers.

If you do not occupy land adjacent to a Board watercourse not all items may apply to you. All of our watercourses we maintain are shown on the map of our district on our website:-
www.wellandidb.org.uk/about-us/map-of-our-district

1. Summer 2021 Maintenance

Annual maintenance for summer 2021 will continue on set routes undertaken mainly by hydraulic weedcutting and tractor-mounted flail. These routes will be via strips of land adjacent to the relevant Board's drain. Please be advised if you intend to crop this strip of land, the Board will not be compensating for any losses incurred. As with all our operations, we will endeavour to avoid excessive damage and, as at present, will work on grass strips, access tracks and other uncropped areas if possible. A 5 metres uncropped strip would allow all Board machinery to pass.

Details of routes will be available on the Board's website from March 2021.

These maintenance works will be carried out on all Board-maintained watercourses which will require for entry onto land which we understand from our records is occupied by yourself. A map detailing the watercourses to be maintained is available on the Board's website (as detailed above).

The Board's permissive powers to carry out these works are derived from Section 14 of the Land Drainage Act 1991, whereby we are empowered to maintain and improve existing drainage systems and drainage works.

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This is a statutory notice for the purpose of Section 64 of the Land Drainage Act 1991, where we have a duty to give notice that the Board intends to enter upon land occupied by yourself, cropped or otherwise.

We request that a strip of uncropped land **five linear metres wide** is left from the brink of any Board-maintained watercourse. Where land is cropped against the advice of this notice, the Board **will not** pay compensation for any damage to or loss of crop.

Under Section 15 of the Land Drainage Act the Board may, without making payment for it, dispose of any material removed in the course of carrying out this work on such a width of land adjoining the watercourse as can be reached by mechanical means in one operation. Flail mowing cuttings will remain on the watercourse bank, weed cutting arisings will be deposited either on the bank top parallel with the watercourse or on the field edge.

6. Where injury is sustained beyond that detailed in section 4 and 5 above, as a result of the Board exercising its powers to complete this work, the Board shall be liable under the sections of Land Drainage Act 1991 detailed above to make full compensation to the injured person if called upon to do so.
7. The proposed work will consist of all or a combination of the following:
 - a. Entry onto the land both sides of any Board-maintained watercourse to carry out flail mowing operations with tractor-mounted flail mowers.
 - b. Entry onto the land both sides of any Board-maintained watercourse to carry out weed cutting operations with tracked excavators and tractor-mounted weed baskets.

2. Obstruction to Board's Access for Maintenance Works

It has become apparent this cutting season that a large number of obstacles have been put in place, no doubt to prevent access for hare coursers, which have had the secondary effect of obstructing access for Board's machinery to carry out maintenance operations.

I would therefore request that if you have obstructions across accesses that the Board will need to use, that you remove the obstructions as soon as possible to allow the Board's activities to continue.

It has also been reported to us that, in certain cases, access has been prohibited by the digging of open trenches across access points. I would request that if this has been undertaken on an access that the Board will need to use, that it be filled in again as soon as possible as there is a potential health and safety issue with respect to Board's machinery dropping in to open excavations, especially where vegetation has grown up and obscured the trench.

All updates for the attention of all ratepayers to the Board's maintenance programme are posted on the Board's website.

If you are no longer the occupier of this land, will you please inform us so that the current occupier is aware of these changes.

We trust this notice clearly sets out the Board's intentions and the terms of entry onto the land. We make these changes and complete these works to provide continued and increased protection from flooding to your land and the wider district. We intend to carry out these works in the best possible manner, cooperating and working with you where possible.

Should you have any questions, please contact the office.

Yours faithfully

A handwritten signature in black ink, appearing to read 'K. Daft', with a stylized flourish at the end.

Karen Daft
Chief Executive