

LINDSEY MARSH DRAINAGE BOARD

COMPENSATION POLICY

Accountable Officer:	Director of Operations
Approved by:	Board - December 2011

1. Introduction

The Board has agreed to pay compensation for both permanent loss of use of land and crop loss to allow its programme of works to be uninterrupted by disputes and the requirement for landowners to use agents. The Board has authorised the operations department to go through standing crops where necessary in the interest of efficiency and to minimise soil structure damage.

The rates of compensation are reviewed and updated annually by the Plant and Compensation Committee.

It should be noted that since the introduction of this policy, the use of agents by landowners has virtually been eliminated.

2. Reforming/Emergency Works

Appropriate levels of compensation for loss of crop will be calculated based on the following criteria:

- (a) Where notice of entry has been served before a field has been drilled or planted, loss of cropping profit per acre will be paid.
- (b) Where notice of entry has **not** been served for entry onto the land between September and February if the land has been cultivated, drilled and sprayed, the full value of the harvested crop will be paid less variable costs.
- (c) Where notice of entry has **not** been served for entry onto the land between March and harvest, the full value of the harvested crop will be paid.

The criteria detailed in (a), (b) and (c) above is underpinned by the John Nix Farm Management Pocket book, however, they are adjusted by the Board to reflect local prevailing agricultural conditions.

3. Permanent Loss of Use of Land

Compensation will be based on the following criteria:

- Any width in excess of that which has been reprofiled to the measured width shown on the drain records of the Board.

4. Summer Maintenance Works

Where the Board travels through standing crops to undertake summer maintenance operations, compensation will be paid per linear metre at a pro rata rate as for (c) above.

Root crops and vegetable crops will be subject to private negotiation.

Compensation will not be payable for access through grassland except where severe damage has occurred due to ground conditions.

5. Rates of Compensation

The basis on which the rates of compensation are calculated is as follows:

- Cereals - the future prices as published by the Agricultural and Horticultural Development Board in the last week of January for the following November.
- Land - figures published per county in the Farmers' Weekly in the last week of January by Knight Frank.

6. Disputed Claims

Where claims fall outside of the Board's standard rates and agreement cannot be reached, the matter will be referred to the Board for determination on an individual and exceptional basis.