

ADVICE to Landowners and/or Occupiers in receipt of this Notice

General Information

1. The Board will have regard to the relevant Home Office Code of Practice when exercising its powers of entry to premises or associated powers.
2. This Notice of Intended Entry is for routine and non routine works throughout the rating year to enable the Board to carry out its land drainage and water level management functions.
3. This Notice of Intended Entry is served under the Land Drainage Act 1991 (as amended).
4. Entry under this Notice of Intended Entry will be conducted without a warrant.
5. Where entry is refused or obstructed the Board may seek a warrant to authorise entry.
6. A person who intentionally obstructs or impedes entry may be prosecuted and may be liable to a fine in accordance with S64(6) of the Land Drainage Act 1991.
7. Except in case of accident or emergency, entry will not be made to residential land within 7 days of the date of this Notice. If human life or property is under threat, the 7 day notice period for entry will not be given, including where such incidents are being investigated.
8. While servants, agents and contractors of the Board may contact you to discuss and agree a convenient time to enter your land, this may not occur in every case and entry may take place where you have not been contacted in advance.
9. Entry to premises will take place during reasonable hours, as determined by the use of the land.
10. Servants, agents and contractors of the Board will upon request either show you identification or will give you their name, organisation, official contact, and purpose of their visit.
11. You may accompany servants, agents and contractors of the Board while they are on your land if it is safe for you to do so, as assessed by the Board or its representative.
12. If premises are unoccupied, the authorised persons shall leave the land as effectively secured against trespassers as they found it.

Compensation and Complaints

13. Complaints are dealt with by the Board under the Board's complaints procedures. The Complaints procedure is available from the Board upon request. If you would like more information please contact the Board's office.
14. You may be entitled to compensation for any injury (loss) sustained as a result of the Board exercising their powers under section 14 of the Land Drainage Act.

15. Where the claim for compensation relates to injury caused by the deposit of spoil created from widening, deepening or dredging any ordinary watercourse, compensation shall be at the sole discretion of the Board unless the injury was caused by the exercise of the Board's powers without reasonable care.
16. Please direct any claim for compensation to the Board's office as shown overleaf.

Code of Practice

17. A copy of the Home Office Code of Practice relating to the exercise of Powers of Entry (December 2014) can be found on the gov.uk website at the following address;
<https://www.gov.uk/government/publications/powers-of-entry-code-of-practice>

Data Sharing and Privacy Notice

18. The Board hold personal data, including names, addresses and telephone numbers, relating to land owners and/or land occupiers for the purpose of exercising the Board's functions. Some of this data is information which is in the public domain, and some is not publicly available.
19. The Board uses personal data in a number of ways, for example to raise and collect drainage rates, or to communicate with riparian land owners, for example to arrange maintenance works, or to arrange access. The Board is registered with the Information Commissioner's Office ("ICO") as a data controller.
20. In carrying out its functions, the Board may appoint third-party agents and contractors to carry out certain services on its behalf. The Board may disclose personal data to those third parties for that purpose. The third party will therefore process personal data on behalf of the Board.
21. The Board will only process and/or share your personal data where it is necessary to do so, for the Board to fulfil its public tasks and functions, including performing land drainage and water management tasks, in the public interest.
22. Your details will be retained for as long as you own or occupy land which the Board need, or in future may need, access to in order to carry out its functions.
23. You have rights in relation to any personal data the Board holds about you. You can request access to the data, ask the Board to update your data, ask the Board not process it until it is updated, and you have a right to object.
24. If you want to contact us in relation to your rights, or if you have any concerns about the sharing of your data, please contact Alison Briggs on 01302 337798 or Alison.Briggs@shiregroup-idbs.gov.uk.
25. You can also raise any concerns you have with the ICO.