

## Lower Witham Flood Resilience Project Land Purchases Briefing Note

In August 2024, the Environment Agency were able to complete the purchase of the second of two land holdings within the Lower Witham Fens. The following responses aim to answer questions the community may have on why this has happened.

### Why have the Environment Agency spent money on buying this land?

These two sites have been purchased primarily to provide mitigation habitat and statutory biodiversity net gain for the capital works taking place on some assets in the Lower Witham area under the 'Lower Witham Flood Resilience Project – Phase 1' (LWFRP - Phase 1). This project has identified assets that protect the largest numbers of homes, and that need refurbishment/repair works to ensure their continued operation. The project includes the Grand Sluice in Boston, which will be receiving a full refurbishment, and multiple embankment reaches along the main River Witham.

### Why must the Environment Agency create habitat when undertaking its flood risk management role?

The Environment Agency are required to mitigate for any habitat loss that occurs because of our works to provide flood defences under multiple acts of parliament. These include but are not limited to the Environment Act 1995 and the Wildlife and Countryside Act 1981. In addition to replacing what is lost, where we need to apply for planning permission to do our work, we must now provide an additional 10% more biodiversity under [Schedule 7A of the Town and Country Planning Act 1990 \(as inserted by Schedule 14 of the Environment Act 2021\)](#). This means a development will result in more or better-quality natural habitat than there was before development.

### How can the Environment Agency afford to spend money on buying land for creating habitat but not on repairing all flood defences?

The LWFRP – Phase 1 works (including the legally required habitat mitigations) can secure funding, due to the large number of homes that will be better protected.

Protecting homes can secure up to 7.5 times the amount of grant when compared to works to protect agricultural land only and is the reason why we are funded to progress the LWFRP – Phase 1 Works in high consequence areas.

### What else are you planning for these sites in the future?

It is anticipated that the locations of the two land holdings, within the 'Sustainable Recovery Pilot' area, may have a wider role to play in demonstrating how land use and farming practices may need to change to be more adaptive to flood risks where funding constraints don't allow a continuation of historical water management. We are hoping to work with our tenants and partners to develop plans for the sites, that allow them to continue to be productive, whilst coping with flood risk and delivering the habitat requirements needed.

