

Friday, 23 July 2021

ESIDB Comments on additional information/submissions received by D3

9.34 Fen Meadow Plan Report 1 Baseline Report - Part 1 of 2 - Revision 1.0 [REP3-051] and 9.34 Fen Meadow Plan Report 1 Baseline Report - Part 2 of 2 - Revision 1.0 [REP3-052]

While the report correctly identifies that LLFA, District Councils and IDBs carry out flood risk management work on ordinary watercourses it erroneously indicates that there are no ordinary watercourses on the Halesworth and Pakenham sites. In accordance with the Land Drainage Act (section 72) *““watercourse” includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows”*. And an *““ordinary watercourse” means a watercourse that does not form part of a main river”*. Therefore the drainage ditches identified in 3.4.2 of the reports on each of the sites are under the authority of one of the above flood risk management authorities and as such any eventual water control structures placed within them will require Land Drainage Consent from the appropriate authority. In the case of Halesworth this authority is the ESIDB.

The Benhall site is also within the ESIDBs Drainage District and thus all “ordinary watercourses” as accurately defined above fall under the Boards jurisdiction. The Board believes however that the applicant may in this case have confused Boards adopted watercourse (the Canal) as the only ordinary watercourse present. As previously stated All works within 9m of the adopted watercourse will require the Board’s formal consent as per the Land Drainage Act 1991, including the Board’s Byelaws (which must be considered by the Board, rather than officers acting under delegated authority).

“Groundwater Conceptual Model Paper”- Appendix B of 9.28 Comments on Written Representations Appendices - Revision 1.0 [REP3-043]

The Board agrees that water-levels locally can be mitigated through control structures, however the ecological and groundwater impacts these changes may have are beyond the boards expertise to judge and we therefore defer to the EA, the RSPB, NE and other interested parties.



Jane Marson (Chairman) Michael Paul (Vice-Chairman)

Phil Camamile (Chief Executive)



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