

**SEA Link EN020026 Planning Examination –  
Written representation from East Suffolk Water Management Board**

**IP reference number [REDACTED]**

**18<sup>th</sup> November 2025**

*1. Introduction*

1.1 This written representation is made on behalf of East Suffolk Water Management Board.

1.2 East Suffolk Water Management Board (the Board) is an Internal Drainage Board as defined by the Land Drainage Act 1991. The Board's internal drainage district covers several river catchments in East Suffolk. This district overlaps with a very small part of the proposed Sea Link development at two locations: the landfall area near Thorpeness, and the River Fromus area south of Saxmundham.

1.3 East Suffolk Water Management Board is the potential regulator for certain elements of Sea Link's proposed works – specifically those works within the Board's Internal Drainage District and which require consent as per the Land Drainage Act 1991, and under the Board's Byelaws. These works could include the discharge of water into a watercourse within the internal drainage district, and the alteration of a watercourse within the internal drainage district. The Board is an interested party because of the potential impact of the project on the Board's ability to carry out its statutory functions relating to land drainage and reducing flood risk.

1.4 The Board does not agree with certain sections of wording in the application documents. The Board submitted a Relevant Representation to the Planning Inspectorate in June 2025, which highlighted concerns about the wording within Article 20 of Part 4 of the draft Development Consent Order (APP-007). This article relates to discharge of water. Our understanding is that these concerns have not been addressed, which is why the Board raised them at the Open Floor Hearing 1 on 6<sup>th</sup> November 2025.

*2. Specific concerns*

2.1 Re-wording of Paragraph 7 of Article 20 of Part 4 of the draft DCO (Examination Library reference: AS-087) is required to ensure clarity that the DCO does not override the requirement for consent under Section 23 of the Land Drainage Act 1991, or for consent

under byelaws made pursuant to Section 66 of the Land Drainage Act 1991. [Part 4 of the draft DCO relates to Supplemental Powers; Article 20 relates to Discharge of Water and is found on pages 19 and 20 of the draft DCO version D, (AS-087)]. We suggest the insertion of suitable wording (which we included in our relevant representation, and have set out in italics below) into this Paragraph, as follows:

“Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) of the Environmental Permitting (England and Wales) Regulations 2016(a) *nor the requirement for consent under Section 23 of the Land Drainage Act 1991 or any byelaws made pursuant to Section 66 of the Land Drainage Act 1991.*”<sup>1</sup>

2.2 Secondly, the Board also recommends that Paragraph 12 of Article 20 of Part 4 of the DCO should include clarification that “watercourse” has the meaning as set out in s.72 of the Land Drainage Act 1991:

*“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.*

2.3 The Board’s third concern relates to settlement of any disputes. The draft DCO wording at Part 4, Article 20, paragraph 2 states that *“Any dispute arising from the making of connections to or the use of a public sewer or drain by the undertaker pursuant to paragraph (1) must be determined as if it were a dispute under section 106 (right to communicate with public sewers) of the Water Industry Act 1991.* That is, this paragraph appears to suggest the provisions of the Water Industry Act 1991 are appropriate to settle any dispute relating to a proposed discharge of surface water into a watercourse. The Board finds this to be unsatisfactory and contrary to existing provisions for resolution of disputes within the Land Drainage Act and associated byelaws.

2.4 The Board notes that the Applicant’s *Consents and Agreements Position Statement* (APP-010) does not identify Internal Drainage Board byelaws within Table 2.1 Other Consents and Licences. We therefore suggest insertion of the following texts, “; *relevant Internal Drainage Board byelaws pursuant to s.66 of the Land Drainage Act 1991*” into column 3, row 3 and into column 3, row 4 of Table 2.1; and insertion of “*Land drainage consent*” into column 2, row 4 of Table 2.1.

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<sup>1</sup> Suggested additional wording in italics.

3. The Board is keen to engage with the Applicant to discuss and resolve these matters.

*End.*