

## Development Control and Regulation

### Information for Authorities and Other Bodies

If you are a public authority or another body proposing to undertake works within the Internal Drainage District of a WMA Member Board (see maps here) then please be aware that you may be exempt from the need to gain Land Drainage Consent in line with the Board's Byelaws and the Land Drainage Act 1991. In this instance we would still require you to apply to register an exemption, as detailed below.

#### Exemption from the Board's Byelaws

If you are working as an authority (as defined by Byelaw 26 of the Board's Byelaws) proposing to undertake works within the Internal Drainage District of a WMA Member Board then please be aware that each WMA Board's Byelaws contain a caveat (within Byelaw 26) stating that an authority (as defined by Byelaw 26) doing works may be exempt from the requirement for consent in certain circumstances. Byelaws for the relevant Board can be found below alongside detailed maps.

Broads (2006) IDB – [Map](#) - [Byelaws](#)

East Suffolk IDB – [Map](#) - [Byelaws](#)

Kings Lynn IDB – [Map](#) - [Byelaws](#)

Norfolk Rivers IDB – [Map](#) - [Byelaws](#)

South Holland IDB – [Map](#) - [Byelaws](#)

Pevensey & Cuckmere WLMB – [Map](#) - [Byelaws](#)

Waveney, Lower Yare & Lothingland IDB – [Map](#) - [Byelaws](#)

If you are likely to be eligible for exemption from the Board's Byelaws we still require that you apply to register an exemption, as detailed below, as the exemption process clarifies (through conditions) the manner in which works being carried out will not interfere with the works of the Board, and as such do not require consent.

#### Exemption from Byelaw 10

Byelaw 10 restricts works within 9 metres of drainage or flood risk infrastructure (including adopted watercourses) and is the most common Byelaw from which exemption is sought.

The principle aim of Byelaw 10 is to ensure watercourses can be maintained by the Board now and in the future without restrictions being placed on access, and to ensure operatives are aware of third-party structures when undertaking maintenance.

Detailed maps of each Internal Drainage District are linked above. These maps also show which watercourses are designated as Adopted Watercourses by each Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the Internal Drainage District and as such will normally receive maintenance from the IDB. This maintenance is not necessarily carried out on an annual basis but on a recurrence deemed necessary to meet water level management requirements. Please be aware that the designations are made under permissive powers (meaning there is no obligation for IDBs to fulfil any formal maintenance requirement and there is no change in the ownership or liability associated with the watercourse).

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### **Exemption from Section 23 of the Land Drainage Act 1991**

Proposals which include works to alter a watercourse (including culverting for access) would usually require consent under Section 23 of the Land Drainage Act 1991 (LDA 1991). However, the LDA 1991 states that any works carried out or maintained under or in pursuance of any Act or any order having the force of an Act are exempt from Section 23 of the LDA 1991.

If you are likely to be eligible for exemption from the LDA 1991 we still require that you apply to register an exemption, as detailed below, as the exemption process clarifies (through conditions) the manner in which works being carried out will not interfere with the works of the Board, and as such do not require consent.

### **The Exemption Process**

The exemption process clarifies (through conditions) the manner in which works being carried out will not interfere with the works of the Board, and as such do not require consent. If you are proposing works which require an exemption then please contact the team via [planning@wlma.org.uk](mailto:planning@wlma.org.uk).