

# **IMPORTANT INFORMATION PLEASE READ**

## **Adoption of private sewers and lateral drains by water authorities**

The Government has approved legislation (The Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011) that from the 1 October 2011, transfers the ownership of all privately owned shared drains to the relevant water authority, which from then on will become 'public sewers.' The relevant water authority for the Borough of Oadby and Wigston is Severn Trent Water Limited.

The private sewers and lateral drains legislation does not amend the drainage legislation within the Building Regulations and to date, local authorities have received no guidance from the Government on how this will impact upon the requirements of the Building Regulations. It is however assumed that there will be joint responsibility between the local authority and the water authority to approve new drainage systems.

Private pumping stations, which form part of the drainage arrangements and which are on pipe work that transferred ownership on 1 October, will transfer later. Such pumping stations will transfer between 1 October 2011 and 01 October 2016, with all pumping stations that have not been transferred before then transferring on 01 October 2016.

Water companies should already have contacted all bill payers in their areas to explain the changes.

**For further information on the transfer of your drains to the water authority and any impact this may have on proposals to extend your property, please contact either:**

**Severn Trent Water Limited on 08456 016 616, or visit their web site [www.stwater.co.uk](http://www.stwater.co.uk)**

**or**

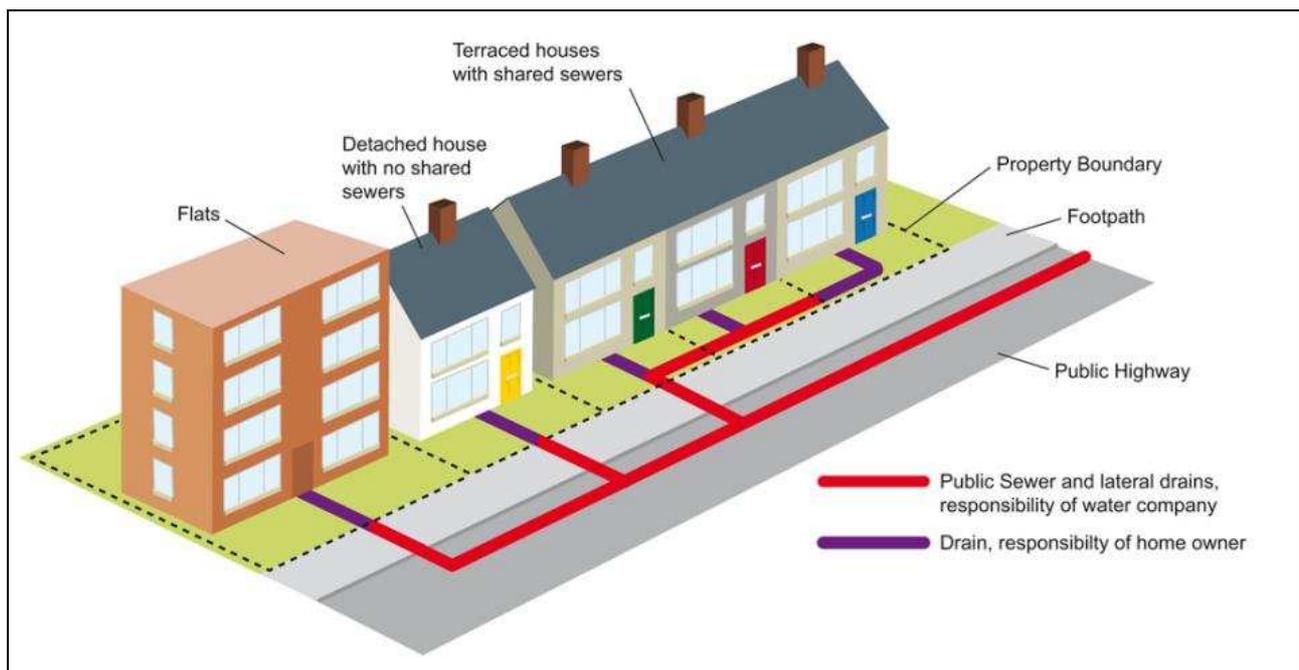
**Department for Environment Food and Rural Affairs (DEFRA) on 08459 335 577,**

**or visit their web site [www.defra.gov.uk](http://www.defra.gov.uk)**

If you are intending to carry out any of the following work on a property you are advised to seek advice from Severn Trent Water Ltd as soon as possible;

1. Build an extension over or within 3m of a public sewer,
2. Construct a new building over or within 3m of a public sewer, or
3. Make a new drainage connection to a public sewer.

## **Public and private sewers/drains**



There are different names for the pipes commonly used to discharge foul and storm water from buildings, namely:-

1. Private drain - a drain serving a single premises,
2. Private sewer - a drain serving two or more premises. Before 01 October 2011, these sewers were the responsibility of the owners or occupiers of the properties connected to them. The water and sewerage companies are now responsible for these sewers and are now referred to as a public sewer.
3. Public sewer - a drain serving two or more premises owned or adopted by the sewerage undertaker (Severn Trent Water Limited).
4. A lateral drain - is the part of a drain which lies outside the property boundary, and in some cases, can be located under someone else's land or a road. Before 1 October 2011, lateral drains were the responsibility of the individual property owner they serve. The water and sewerage companies are now responsible for these sewers and are now referred to as a public sewer.

The vast majority of private drains in the normal circumstances, with the introduction of the 2011 Water Industry Adoption Regulations previously mentioned, will now discharge into a lateral drain or a public sewer. In certain circumstances what might initially appear to be a private drain may in fact be a lateral drain or public sewer. A public sewer is a sewer for which the ownership is now vested in a sewerage undertaker, within the Borough of Oadby and Wigston this is Severn Trent Water Limited.

The majority of mapped public sewers run under public roads, however in some instances they can be found to cross private land. It may be with the introduction of this Act that most of the lateral drains and sewers it refers to will not presently be mapped and are passing through private land, if the sewer to your property was built before October 1937 then it is also considered to be a public sewer under the provisions of Section 24, of the Public Health Act 1936.

If you think that there is a lateral drain or sewer serving your property or passing through the curtilage of the land associated with your property Severn Trent Water Ltd should be able to assist you with the identification. The identification of these drains and sewers is important as if it is proposed to carry out building work which may have an impact on these specified drains and sewers consent from Severn Trent Water Ltd will be required.

Please see the provisions that apply under the Building Regulations as indicated in the note below.

### **The requirement**

When building over or within 3 metres of a public sewer the Approved Document to regulation H4 (building over sewers) of Building Regulations 2010 makes it clear that;

- you must consult with the sewerage undertaker,
- adequate provision is to be made to prevent any undue risk to the building in the event of a failure of a drain or sewer,
- access to the drain or sewer must be maintained externally to any building or extension at all times,
- the drain or sewer must be adequately protected during construction, and
- adequate provision is to be made for the protection of a drain or sewer from any settlement.

For further clarification on these items you should refer to Approved Document H of the Building Regulations 2010.

### **Building Regulations submission**

Making a Building Regulations submission where building over or within 3 meters of a public sewer up to 225 millimetres in diameter will require a Full Plans Submission under the Regulations, a Building Notice cannot be accepted in these circumstances.

As part of the process Building Control will establish from Severn Trent Water Limited that you have obtained their consent and agreement to the works, to be able to issue an approval under the Building Regulations.

### **How to see if a public sewer is affected**

Information on the siting of the public sewers can be obtained from Severn Trent Water's Records Management Centre by telephoning them on 0845 601 6616. If a public sewer could be affected by proposed building works, it is advisable to obtain consent from Severn Trent Water before making a Building Regulations application. This will avoid delay in the Full Plans approval process. Further advice and an application form can be obtained from the Severn Trent web site [www.stwater.co.uk](http://www.stwater.co.uk), or by one of the following contact methods:-

**By telephone:-** Leicester (0116) 234 3834

**In writing:-** Severn Trent Water Limited  
Asset Protection East  
Gorse Hill  
Anstey  
Leicester  
LE7 7GU