

# Guidance notes

## Legislation

Legislation covering the adoption of sewers, which includes pumping stations and other accessories, is contained within the Water Industry Act 1991 (the Act). Section 104 of the Act covers the adoption of private sewers to be constructed at a future date subject to an agreement with the sewerage undertaker. Once adopted they become public sewers and will be maintained by Thames Water.

Thames Water accepts the standards that are described in the latest edition of 'Sewers for Adoption - a design and construction guide for developers'. This is published by the Water Research Centre (WRC) and representatives of both the House Builders Federation and Water UK have been involved in its preparation. Implicit in the guide is that public sewers should be located in highways or public open spaces. Please note, this guide is available from the Water Research Centre web site at [www.wrcplc.co.uk/sfa](http://www.wrcplc.co.uk/sfa). Proposals submitted in conformity with 'Sewers for Adoption' can be checked rapidly and Thames Water limits its fees to those recommended in the guide.

## Applying for a new sewer adoption

When you apply to have a sewer adopted under Section 104 you must complete the application form together with all the relevant information set out in pages 6 and 7 of Sewers for Adoption together with the initial deposit of £500. A separate application form for each connection to the public sewerage system together with the appropriate fee or deposit should also be submitted.

Your attention is drawn to Section 20 of the model Agreement in Sewers for Adoption (6th Edition), which sets out our requirements relating to the transfer of land and maintenance arrangements.

Where a consent to discharge from the Environment Agency, British Waterways or Railtrack is required, the applicant must not agree to any conditions without prior approval from Thames Water.

In line with Government advice, Thames Water encourages wherever practical, the disposal of surface water 'on site' without recourse to the public sewerage system. Soakaways or infiltration areas should be used on free draining soils.

## Processing of your application form

- After the completed application has been received by Thames Water you will be notified within 5 weeks of the following:
- The acceptability of your proposals with an indication of what elements of the sewer(s) is adoptable.
- Thames Water's estimated cost for the works and the fee required before construction can commence. The fee will be the greater of £500 or 2.5% of our estimate. The fee is calculated using Thames Water's estimating to ensure consistency.
- The Developer is required to provide a Surety to be party to the Agreement who will be liable for a sum not exceeding 10% of the agreed estimated construction value of the Works (minimum value of the indemnity being £5000).

## The agreement

Our Technical Engineers will also request that our Legal Department prepare the necessary Agreement, which is based on the standard form as set out in Part 6 of Sewers for Adoption. This will incur a separate legal fee payable when the agreement is signed. No divergence from this Agreement will be accepted and any attempts to vary the standard Agreement will delay its completion and increase legal costs.

To enable our Legal Department to progress with the preparation of the Agreement, the security and copies of the required drawings must be sent to Thames Water one week after notification that Thames Water accepts your proposals. Where there are to be three signatories to the agreement, we will require twelve copies of all the agreed drawings that form part of the Agreement, with a further three copies for each additional signatory.

You must notify Thames Water when construction is due to start and pay us the balance of the fee. During construction we will inspect the works from time to time.

### **Maintenance period**

The sewers remain your responsibility for 12 months after the provisional certificate. During the construction Thames Water will regularly inspect the work.

With regards to pumping stations, Thames Water offers a service for receiving and reporting telemetry faults or alternatively the complete maintenance of the stations. Details of this service are available on request.

No later than 2 months before the issue of the provisional certificate, you will be required to jet clean the sewers to enable a closed circuit television survey to be carried out. At this stage, you will also be required to provide us with copies of the 'as built' record drawings.

The Developer's Health and Safety File, prepared in accordance with the Construction (Design and Management) Regulations 1994 (CDM Regulations), should be available prior to issue of the provisional certificate.

Your attention is drawn to the following:-

- Section 20 of the Schedule of Agreement (Transfer of Land and Maintenance Arrangements).
- When a surface water sewer will discharge to a watercourse, all necessary consents must be obtained, subject to the prior approval of Thames Water. It should be noted that Thames Water only accepts uncontaminated surface water into its public surface water sewers, which do not require a discharge consent from the Environment Agency. In addition, a permanent right to discharge must be obtained from the riparian owner of the land subject to the prior approval of Thames Water.
- Highway drains and drainage must not be connected to the sewer without Thames Water's agreement.

### **Adoption of Sewer(s)**

Following the end of the 12 month maintenance period, Thames Water will make the final inspection and, on completion of any outstanding remedial work, a final certificate and certificate of vesting will be issued. Please note, completing the attached application does not guarantee that we will adopt the sewer.

You must not start any work until you have received a signed/ sealed Agreement.