

# Your guide to first time sewerage for existing properties

Anglian Water has a legal duty to assess the most economical and practicable way to provide effective drainage where the current drainage for two or more properties is unsatisfactory.

## 1. Do you qualify?

Section 101A of the Water Industry Act 1991 places a statutory obligation on sewerage undertakers such as Anglian Water to provide a public sewer if:

- **An existing domestic sewerage system which is not connected to the public sewer (directly or indirectly) is creating problems affecting the environment or amenity;**

and if:

- **Provision of a public sewer is the most appropriate solution.**

When judging whether such a duty applies, we will consider whether the problem with the sewerage system could be rectified cost-effectively by repair or proper maintenance.

The duty does not arise if there is only one building involved. The definition of building excludes sheds, glasshouses or other outbuildings not intended for human habitation.

At Anglian Water we will assess all applications for provision of a public sewer under Section 101A, in line with the official Guidance Notes issued by the Department of the Environment, Food and Rural Affairs (DEFRA).

This duty does not change existing regulations under Section 98 of the Water Industry Act 1991 which says that any owner, occupier or local authority can demand the installation of a public sewer as long as they meet the cost of it. Section 98 continues to apply where no environment or amenity problems are involved and in the case of new development.

## 2. Making an application

If you want your property to be considered for the provision of a public sewer under the duty, please fill in Anglian Water's First Time Sewerage Application form and return it to us.

We will acknowledge receipt of your application within seven working days then assess it using the criteria set out in the DEFRA's Guidance Notes.

The initial assessment can take up to 4 months. If your application does not meet the requirements of the initial assessment you as the application co-ordinator will be notified in writing of its rejection.

If we decide that a more detailed assessment is required before a decision can be made, we will write and tell you. This can take up to eighteen months from the date of writing due to seasonal considerations unless otherwise specified. When we have come to a decision on your application, we will write again and let you know the outcome.

If we conclude that your application fails to meet statutory conditions, we will write and explain the reasons on which refusal is based. Should you not agree with our decision, you can appeal to the Environment Agency, whose decision in these matters is final.

**3. How does it work?**

Anyone can approach Anglian Water and ask for a public sewer to be provided if there are environmental or amenity problems created by an existing drainage system. The provisions do not require Anglian Water to automatically provide a public sewer without question. However, we will give every application a thorough technical and economic appraisal, working to the DEFRA's Guidance Notes. We will examine all practical options for overcoming the environmental or amenity problem, including repair, proper maintenance and reconstruction of the existing system other than the provision of a new private sewer. Provision of a public sewer will only be adopted if it is found to be the preferred cost effective option.

If cases have already been considered under the duty, they will only be reconsidered if material change in the environmental or amenity problems have occurred.

**4. What information should be submitted to Anglian Water?**

An application should include a brief description of the sewerage system, stating why a public sewer is required. You should also enclose any supporting material, if available, such as letters, documents and other relevant papers (see Part A of the application form). All available evidence of environmental or amenity problems should be supplied.

**5. Who is eligible?**

Anyone with an interest in the premises, such as the owner or occupier, or anybody acting on behalf of the householder (e.g. a local authority) is eligible to ask Anglian Water to provide a public sewer.

**6. Does the location of the premise have any bearing?**

The premises do not have to be in a rural area but the duty does not apply if there is only one building.

**7. What building would qualify?**

Domestic dwellings but not sheds or other outbuildings. Industrial/commercial buildings; domestic effluent only (staff toilets, sinks etc).

**8. Does the duty apply in all cases?**

The duty applies only to properties not connected to mains drainage, for example private systems running to septic tanks. Most importantly, an environmental and/or amenity problem must exist or be likely to arise. This covers problems such as the pollution of a ditch, stream or river, smell, nuisance or public health problems, as long as the provision of a public sewer is considered to be a practicable and cost-effective solution.

**9. Which properties can benefit from the provision of a new public sewer?**

It is not necessary for all the properties in a location to have an environmental or amenity problem with their existing drainage. If it were decided that a public sewer should be laid, and it is accessible to other properties, it would be open to householders to connect to the new sewer when it is constructed, even if they do not have a problem with their system.

**10. What should be considered before asking for a public sewer**

Practicable options other than providing a public sewer will be examined by Anglian Water. Often existing drainage systems can be rectified by repair or proper maintenance, for example: the repair of structural damage or failure, rebuilding a similar unit, or timely emptying and de-sludging the unit. If we judge that problems can be rectified cost-effectively by such measures, it would not be relevant to provide a public sewer. The cost of any repair or rebuilding would be borne by the owner.

**11. What happens if there are existing sewers?**

The duty does not apply if there is an existing public sewer available within 30m of the property boundary. Newly transferred private sewers may be within this distance, but may not be shown on our sewer records yet.

**12. What happens when Anglian Water is approached to provide a sewer?**

We will acknowledge your application within seven working days and let you know when we expect to give you a reply.

**13. How will Anglian Water assess cases?**

We will examine a range of possible options. These include the provision of a new public sewer, rectifying existing systems and so on, in accordance with DEFRA's official guidance. In each case we will assess the expected environmental or amenity benefits and the cost of implementing the solution.

We will opt for provision of a new public sewer if it is considered to be a preferred option in the light of the best available evidence. This means further information may be requested from any appropriate source including householders.

**14. How will Anglian Water let me know the results of an assessment?**

In writing to the person or body acting as the application co-ordinator. If your application is not accepted, the reason(s) will be fully explained.

**15. How long does it take to provide a new sewer?**

This will depend on circumstances such as time needed for land purchase, obtaining planning permission and so on, as will the priority of your situation compared to others.

Our funding for first time sewerage schemes is set out in five year periods. Therefore, even if we agree a public sewer needs to be built, it could be several years before the scheme goes ahead.

**16. What can I do if I disagree with Anglian Water's assessment?**

Disputes either about a refusal to provide a public sewer or the time within which it is to be provided can be referred to the Environment Agency. They will handle referrals in accordance with their procedures and policies.

**17. Who can refer a dispute to the Environment Agency?**

Any owner or occupier of any premises seeking provision of a public sewer.

**18. What form would a ruling from the Environment Agency take?**

The decision given by the agency in response to a referral is final. However the agency may also make recommendations or give guidance on the most appropriate way of overcoming the dispute.

**19. Is there anything further I can do if the Environment Agency rules that the provision of a public sewer is not appropriate?**

There is provision in Section 98 of the Water Industry Act 1991 to requisition a sewer from the sewerage undertaker. If you do this, you will be expected to pay for the cost of the sewer.

**20. Is there a charge for making an approach to Anglian Water or referring a decision to the Environment Agency?**

No, but you are responsible for any costs you might incur in gathering evidence to support your case.

**21. Who pays for constructing the public sewer if it goes ahead?**

We pay for the work, with the cost being spread across all our customers through our annual sewerage charges..

## 22. **For what costs are the owner / occupier liable?**

Anglian Water realises that the costs of connecting to the public sewer can involve significant expense to customers and we do not want to burden customers with further costs. Therefore if you sign up to the following connection offer and connect within the first twelve months of the sewer being made available, you will only be responsible for arranging and paying for the following:

- **The cost of laying a pipe (house drain) from your property to the boundary of your land. For this work within your land, you would normally employ a local builder. This can range between hundreds to thousands of pounds depending on your specific connection circumstances, ground conditions etc. We recommend you obtain three quotes from reputable drainage contractors.**
- **The cost of separating your surface and roof water from your foul water (if necessary).**
- **Application to the Building Control section of your local Council for Building Control Inspection, for which they normally charge a fee.**

Anglian Water will waive certain charges so you will not need to pay for the following:

- **A one-off fixed charge to connect to the new sewer, known as the sewerage infrastructure charge.**
- **Your ongoing sewerage charges for the first twelve months after the public sewer is made available.**

If you apply for a sewer connection after the connection offer ends, the standard connection costs will apply; the charges above will not be waived.

**Note:** Our current connection offer outlined above will be reviewed on 1st April 2030.

## 23. **What steps should I take to connect to the public sewer?**

We will write to you once the new sewer is available to connect onto, do not connect onto the public sewer until you have received this letter.

## 24. **Are householders obliged to connect to the public sewer when it is laid?**

It is in the interests of each householder to connect to the public sewer. The potential environmental or amenity benefits will not be achieved if properties are not connected. If a householder decides not to connect and his or her existing non-main drainage system is contributing, or likely to contribute, to an environmental or amenity problem, the Environment Agency or the local authority may take action to remedy the problem. Private drainage should be in an adequate state of repair before connecting to the public sewer and not include any surface water i.e. from roofs or yards.

You should also be aware that a local authority could request connection to a public sewer if it is available within 30 metres of the premises. It will be much more expensive to connect to the sewer once the 12 month incentivisation period has passed.

### **For more information about first time sewerage, please contact:**

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