

Sewer Requisition Application

Guidance Notes

Sewer Requisition Application Guidance

Notes

These notes advise on the requirements of the Northumbrian Water S98 Application, and the Section 98 Sewer Requisition process. However they are not exhaustive.

Legislation and Process

Legislation covering the requisition of public sewer and lateral drains is contained within Sections 98 to 101 of the Water Industry Act 1991 (as amended by the Water Act 2003).

It is the duty of Northumbrian Water to provide a public sewer for the purpose of draining domestic flows from premises, if requisitioned to do so under the above act(s), and the premises have buildings or planning permissions for buildings.

The process is made up of five key stages:

1. Start-up
2. Feasibility Study
3. Preferred Option Design (POD)
4. Detailed Design
5. Construction

**It may be possible to combine some of these stages on certain schemes*

The process is shown at the end of this document.

Consideration when Requisitioning a sewer

If you require a sewer to drain premises and it may need to cross third party land, you have the option of agreeing your proposals with third party landowners. Where you are unable to agree, you have the option of asking us to use our statutory powers to decide the route and then design and construct the sewer for you. You need to be aware that the sewer requisition process does not guarantee to match your preferred sewer design route and we have the responsibility to consult with third parties and take their views into account. Once we have considered viable option we will design and construct the most suitable option. As you can imagine, the process may take some time but we will keep you informed of our proposed programme and agree a date for completion with you. Our experience from delivering sewer requisitions in the past tells us that you should typically allow ten to twelve months from the submission of your application to construction starting.

Any works required in protected land (e.g. land owned by The Crown, British Waterways, Network Rail, etc) may take significantly longer to complete, as powers of entry (under Water Industry Act 1991) do not extend to such land.

A public sewer may only be requisitioned for domestic flows. It cannot be requisitioned for Purely commercial, trade effluent, highway or land drainage purposes.

Applying for a sewer requisition.

To initiate the requisition process, please complete a Section 98 Sewer Requisition Application Form and return it to the address on the form, together with the relevant supporting documents and an initial fee of £5,000.

When the requisitioned sewer requires consent to discharge from the Environment Agency, British Waterways or Network Rail, the applicant must not agree to any conditions without prior approval.

In line with Government Advice we encourage, 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.

What happens next?

Once we have received your completed application, you will be notified within five days that your application is being considered for requisition. We will then arrange a meeting with you.

Time Scales

The Water Industry Act requires that we complete the construction of the requisitioned sewer within six months from the relevant date. The relevant date is essentially the date when it is deemed that we have all of the information and Necessary payments to be able to commence construction. In accordance with the legislation, in some circumstances we may agree a date with you for construction that is different to the six month period mentioned earlier.

Contact Details

Should you require any further information or assistance please contact us at:

New Development Sewerage Team
Northumbrian Water
Leat House
Pattinson Road
Washington
Tyne & Wear
NE38 8LB

Email: newdevelopmentsewerage@nwl.co.uk

Frequently Asked Questions (FAQ)

Who can apply?

The owner of any premises in Northumbrian Water's area for sewerage services
The occupier of any premises in Northumbrian Water's area for sewerage services
The Local authority within whose area the premises are situated
The Commission for the New Town within whose area the premises are situated
The Development corporation within whose area the premises are situated

When should a requisition be used?

A requisition should only be applied when it is impractical to provide an adoptable sewer via different route and negotiations with the third party landowners have failed to reach agreement for installing an adoptable (S104) sewer with a Deed of Grant of Easement.

When can Construction start?

Construction Should not begin on any sewers offered for adoption until you have entered into the S104 agreement, and/or until the route of the requisitioned sewer has been agreed with us (i.e.: after the feasibility study has been produced). Any works carried out before these milestones are entirely at your risk.

How much is the application fee?

There is no application fee as such, however £5,000 is required when the application is made to cover our initial costs and as a contribution to the feasibility study.

Should you decide not proceed with a sewer requisition part way through the process, we will refund any money we owe you or invoice you for any money that you owe us.

Why can't Northumbrian Water construct the requisitioned sewer using my design?

Although the legislation covering the sewer requisition process empowers us to construct assets in third party land, we must be able to demonstrate that we have taken into account all possible options (route, flows, connection points, land ownership issues etc.)

We demonstrate we instruct our framework consultants to carry out a feasibility study, which will take all relevant issues into account before providing a list of preferred options. We will share those options with you and agree which option(s) are progressed.

How Much will it Cost?

The £5,000 fee will cover start up costs and at least part of the feasibility study.

The remaining design, construction and additional costs (e.g. contract management, compensation, CDMC, contingencies) will be developed, discussed and agreed with you at key stages throughout the process.