

# **Sewer Adoption Application:**

## **Guidance notes**

## Section 104 Application Guidance Notes & Process

These notes provide information for the sewer adoption process and guidance to aid the completion of Northumbrian Water's S104 Application documentation. The notes are not exhaustive and more detailed information is provided within the Design and Construction Guidance (DCG).

### Legislation and process

Legislation covering the adoption of sewers, including pumping stations and other ancillaries, is contained within the Water Industry Act 1991. Section 104 covers the adoption of private sewers to be constructed at a future date subject to an agreement with the sewerage undertaker (Northumbrian Water).

Once adopted, the sewers are vested in the ownership of Northumbrian Water. These assets should be designed and constructed in accordance with the standards that are included in the latest edition of *DCG published as part of the sewerage sector guidance*. This is published by Water UK and the Water Research Centre (WRC) and representatives of both the House Builders Federation and Water UK were 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 <http://sfa.wrcplc.co.uk/>.

### Applying for a Section 104 Sewer Adoption

You must complete a Section 104 Sewer Adoption Application Form and return it to the address on the form, together with the relevant supporting documents and an initial vetting fee, details of which can be found within our current charging arrangements [www.nwl.co.uk/services/developers/our-charges/](http://www.nwl.co.uk/services/developers/our-charges/)

**Northumbrian Water reserves the right to charge the developer for any additional time spent carrying out assessments of submissions which are incomplete or inaccurate.**

Where 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 Northumbrian Water.

In line with Government advice, Northumbrian Water encourages wherever practical, the disposal of surface water via alternative disposal methods other than the public sewerage system. Soakaways or infiltration areas should be used on free draining soils.

### What happens next

After a complete application has been received, you will be notified within 28 days of the acceptability of your proposals. Provided they are acceptable you will be invited to enter into a Section 104 agreement.

We require the following information to enable the preparation of the S104 Agreement:

- Additional copies of drawings to be provided by the applicant for inclusion in the Agreement
- A Schedule to be completed to include:

- Solicitors contact details acting for the applicant
  - Northumbrian Water's estimated construction cost for the sewerage works, and the balance of the fees required. The fee will be the greater of £550, or 2.5% of our estimated construction cost, minus the initial application fee paid with Section 104 application.
  - The legal fees that will be payable to Northumbrian Water
  - The value of the cash deposit or bond required. This will be 10% of the estimated cost of the works, with a minimum of £5,000 or the value of the works if they are less than £5,000.
  - For any pumping stations and rising mains included in the agreement, an additional surety of 15% of the agreed constructions costs of the pumping stations and rising mains will be required.
- Confirmation that Northumbrian Water must be notified prior to any construction works, on the adoptable drainage, commencing on site and agree to the start date.

### The Agreement

The Agreement, will follow standard form as set out in Part 6 of *Sewers for Adoption 6<sup>th</sup> Edition*. **Divergence from this Agreement will not be accepted and any attempts to vary the standard Agreement will delay its completion and may incur an additional charge.**

### Maintenance Period

You must notify Northumbrian Water when at least 51% of the properties within the development are occupied and request a joint inspection of the sewerage assets with a Northumbrian Water representative. Following a satisfactory inspection and the submission of as built drawings a provisional vesting certificate will be issued. **During this maintenance period, and until the Final Certificate is issued, the sewers remain your responsibility.**

Approximately 3 months before the end of the maintenance period, Northumbrian Water will arrange for a closed circuit television (CCTV) survey to be carried out on the sewers which are included in the Agreement. You will be required to ensure that the sewers are free from all debris prior to this survey.

### Adoption of the Sewer(s)

Prior to the end of the maintenance period, Northumbrian Water will make a final inspection and, on completion of any outstanding remedial work (at the Developer's expense), a final certificate confirming vesting of the sewers will be issued.

### Contact Details

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

[newdevelopmentsewerage@nwl.co.uk](mailto:newdevelopmentsewerage@nwl.co.uk)