

Gladman Developments Ltd

UTILITY LAW SOLUTIONS

Land off Storridge Road, Westbury

Foul Drainage Analysis

June 2019

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Proposed Development of Land off Storridge Road, Westbury

Foul Drainage Analysis

A. Executive Summary

Utility Law Solutions (ULS) specialises in water and sewerage law and how it relates to the housebuilding industry. Gladman Developments Ltd has appointed ULS to review foul drainage matters relevant to its proposed development of land off Storridge Road, Westbury and provide this analysis.

This report outlines how the proposed development can be effectually drained and sets out the legal framework that governs foul drainage matters applicable to new development generally. Evaluating foul drainage requirements for new development involves:

- Identifying a point of connection on the public sewerage network to which foul water can be discharged.
- Establishing the technical requirements for conveying foul water to the identified point of connection.
- Liaison with the relevant sewerage undertaker to determine the impact of discharging foul water to its sewerage network.

A drainage system designed in accordance with industry standards and relevant statutory procedures will be constructed on this site to serve a proposed development of up to 200 residential dwellings. The developments waste water will be discharged to the public sewerage network owned and operated by Wessex Water (the Sewerage Undertaker).

The Sewerage Undertaker has assessed development proposals for this site and the associated impact of discharging its foul water to the public sewerage network. It has been established that the public sewerage system has available capacity to meet the needs of this development.

This report clearly demonstrates that the proposed development can be drained by discharging its foul water to the public sewerage system. Matters relating to foul drainage are comprehensively addressed in other primary legislation, meaning there is no impact that would make the development unacceptable in planning terms. Adopting the tests at paragraph 55 of the National Planning Policy Framework (NPPF), any planning condition related to foul drainage would be unnecessary, irrelevant to planning and unreasonable.

B. Drainage Strategy for the Development

- B.1 A foul drainage system will be constructed to serve this development and connected to the public foul sewerage network. Sewers and ancillaries will be built in accordance with the national industry guidance entitled “Sewers for Adoption” and will ultimately be adopted by the Sewerage Undertaker through an agreement pursuant to section 104 of the Water Industry Act 1991. This will ensure the long-term maintenance of the drainage system and is standard practice for new development.
- B.2 Westbury is served by a public sewerage network that conveys foul water to a sewage treatment works situated north of the town and east of this site. Records received from the Sewerage Undertaker indicate public sewers crossing the southern area of the site and discharging to the Sewerage Undertakers Hawkridge Park Sewage Pumping Station (SPS) located immediately adjacent to the sites eastern boundary. Wherever possible the development will be designed to accommodate existing sewers in public open space or highway, but should diversion be required, a notice can be served on the Sewerage Undertaker pursuant to section 185 of the Water Industry Act 1991. This would allow sewers to be relocated to a position to suit the development while maintaining access required by the Sewerage Undertaker.
- B.3 Liaison with the Sewerage Undertaker has established that foul water from the proposed development should discharge to Hawkridge Park SPS. Connections can be made to the onsite public sewers as required to suit the development layout and optimise the design of the onsite sewerage network.
- B.4 A developer can connect to the public sewerage network at a point of its choosing by serving a notice on the Sewerage Undertaker pursuant to section 106 of the Water Industry Act 1991. This notice cannot be refused by the Sewerage Undertaker, but it can compel a developer to connect at an alternative location using its powers under section 112 of the Water Industry Act 1991. The Sewerage Undertaker can therefore dictate the point of connection on the public sewerage network to ensure there is no detriment to its existing performance. Section 112 also allows sewerage undertakers to instruct a developer to construct drainage systems in a specified manner to ensure any impact on the public sewerage network is minimised either on a permanent or temporary basis.
- B.5 Ground levels on this site fall naturally in a north westerly direction decreasing from 69 to 52 metres AOD. The public sewers in the south of the site (to which connection is proposed) are located where ground levels are between 61 and 69 metres AOD. It will not therefore be feasible to drain the entire development under gravity to these sewers. Development in the south of the

site could be drained under gravity, but foul water from development in the north will need to be pumped to the public sewerage network. A pumping station can be constructed in the north of the site where ground levels are lowest. If considered desirable following detailed design, it would also be feasible to collect foul water from the entire development at the new onsite pumping station for conveyance to the public sewerage network. The detail of the drainage strategy will be agreed with the Sewerage Undertaker and included in a sewer adoption agreement.

- B.6 Details of development proposals for this site were submitted to the Sewerage Undertaker for evaluation. Following consideration of the drainage strategy outlined in this report, the Sewerage Undertaker has confirmed that Hawkridge Park SPS has sufficient capacity to accommodate foul water from the proposed development. It has also confirmed that the current development framework suitably addresses the location of its existing assets and that diversions would be feasible if required subject to detailed analysis. Correspondence with the Sewerage Undertaker is included at Appendix 1.
- B.7 The site boundary is shown edged red on the plan at Appendix 3 and the proposed points of connection on the public sewerage network are indicated at Appendix 2. These can be referenced against the Development Framework Plan that forms part of the planning application.
- B.8 Presuming this outline planning application is approved at committee, the following minimum timescales are envisaged for construction of the developments drainage system and subsequent discharge of foul water to the public sewerage network:
- The site will be marketed for sale to a developer by late 2019.
 - Subsequent sale of the site anticipated in early 2020.
 - The developer that purchases the site will complete detailed designs to facilitate submission of a reserved matters planning application in 2020.
 - Determination of a reserved matters planning application may take approximately 3-6 months, i.e. Full planning permission granted by mid to late 2020.
 - The developments foul drainage system will be constructed as part of initial on-site groundworks commencing in 2021, allowing a few months for enabling works etc.
 - Foul water from the development will not be discharged to the public sewer network until initial occupations commence in late 2021 or early 2022.
 - Development will continue over approximately a 5 year period with sales/occupations at around 40 dwellings per annum.
 - Site completion and full foul water flows estimated in 2026.

C. Sewerage Undertaker Funding

- C.1 Ofwat (regulator of the water and sewerage industry) has issued statutory rules that set out how sewerage undertakers must charge for activities associated with the connection of new developments to public sewerage networks. Each sewerage undertaker has published charging arrangements that implement these rules and apply to all new development. The relevant document for Wessex Water is included at Appendix 6.
- C.2 As well as detailing charges for site specific activities, the charging arrangements specify how network reinforcement required to accommodate new development is funded. The Sewerage Undertaker collects an infrastructure charge for every new dwelling connected to its sewerage network to fund network reinforcement in its operating area. The Sewerage Undertaker receives infrastructure charge payments for connections that do not necessitate network reinforcement as well as for those that do. This ensures that the cost of providing additional capacity in the public sewerage network to accommodate housing growth is spread equally across all new development.
- C.3 Network reinforcement charges can no longer be included in public sewer requisitions (section 98 of the Water Industry Act 1991) as the charging rules issued by Ofwat specifically preclude this. All new developments contribute towards network reinforcement through infrastructure charges, allowing sewerage undertakers to fully comply with statutory duties prescribed by Section 94 of the Water Industry Act 1991.
- C.4 Sewerage undertakers have a properly defined funding stream for improving public sewer networks to accommodate new development. It would therefore be unreasonable to impose planning conditions relating to foul drainage where it can be demonstrated that development timescales allow any necessary action to be taken. Sewerage undertakers have a statutory duty to improve networks and must do so within a reasonable timeframe to ensure much needed new housing is not delayed.
- C.5 Any improvements necessary to the operation of sewage treatment facilities, including works required to accommodate new development, are funded through the general sewerage charge levied on all premises within a sewerage undertakers operating area. As with sewerage networks, section 94 of the Water Industry Act 1991 imposes a statutory duty to improve sewage treatment works as required to accommodate new flows.
- C.6 All costs relating to onsite foul drainage networks, the construction of new sewers and ancillaries as well as connection to the public sewer network are

borne in full by developers. Charges associated with these activities are detailed in the Sewerage Undertakers published charging arrangements.

- C.7 The charging arrangements for new development allow sewerage undertakers to take a holistic approach to improving the capacity of public sewerage networks. Rather than catering for the needs of individual developments on a piecemeal basis, sewerage undertakers can consider all potential development in a particular area and devise solutions to accommodate the cumulative impact. At the same time, sewerage undertakers may address any existing capacity constraints alongside network reinforcement that caters for growth.
- C.8 Construction of the onsite sewerage system for this development and its connection to the public sewer network will be funded by the developer. Its design will be vetted by the Sewerage Undertaker following payment of the appropriate fees set out in the charging arrangements.
- C.9 Infrastructure Charges for the 200 dwellings proposed will be paid to the Sewerage Undertaker at a rate of £190.00 per property (fixed until 31st March 2020 and then reviewed annually). This will provide the Sewerage Undertaker with £38,000.00 towards the general costs of improving the public sewerage network where it is necessary to accommodate the foul water flows from new development.
- C.10 The addition of 200 new customer households will provide additional annual income to the Sewerage Undertaker. The current average sewerage charge in the Sewerage Undertaker's area is £239.00 per property, providing £47,800.00 (rising in line with future price increases) annually on completion of the development.

D. Water Industry Legislative Framework, Duties and the Planning Regime

- D.1 ULS has consistently maintained that planning conditions relating to foul drainage are unnecessary for new residential development and the planning appeal decisions detailed in Appendix 5 and summarised below support this view. The actual impact on the environment of a proposed development must always be evaluated with due regard to the statutory provisions set out in the Water Industry Act 1991 (WIA1991).
- D.2 A summary of the relevant sections of the WIA1991 is set out at Appendix 4 together with the full wording of those sections.
- D.3 A detailed analysis of the interaction between the water industry statutory framework and the planning regime is set out at Appendix 5.
- D.4 When evaluating foul drainage during a planning application, the correct approach in law should be as follows:
- To have regard to a developer's absolute right to connect to the public sewerage system, while taking into account the general duty that section 94 of the WIA1991 imposes on sewerage undertakers.
 - To consider whether there is any impact on the environment that would justify refusing permission and if so whether this could be mitigated by a planning condition.
 - To determine whether any planning condition would meet the policy tests detailed in the NPPF and Planning Practice Guidance (PPG).
- D.5 Conditions relating to sewerage and sewage treatment must be justified against the tests set out in the NPPF and the PPG. In particular, given the rights and duties in the WIA1991, careful consideration is required as to the timescales involved in implementing a permission for residential development. It is reasonable to expect the Sewerage Undertaker to provide the necessary infrastructure to avoid adverse effects, and it is funded to do so through charges it collects specifically for this purpose.
- D.6 The principles set out in this report that demonstrate planning conditions relating to foul drainage are unnecessary have been considered at a number of planning appeals. The reference numbers for these appeal decisions are listed in Appendix 5 along with extracts relevant to foul drainage. It was determined by the Planning Inspectors presiding over these cases that the imposition of a planning condition relating to foul drainage was either unnecessary or unreasonable. The reasons given by the Planning Inspectors for this decision were similar in each case and can be summarised as follows:

- Sewerage undertakers have a statutory duty prescribed by the Water Industry Act 1991 to provide sewer connections. There is no need for planning conditions to duplicate powers available under other legislation.
- Sewerage Undertakers have a statutory duty prescribed by the Water Industry Act 1991 to improve its existing systems if necessary. A condition relating to foul drainage is unnecessary as it is the subject of other legislation.
- In general, conditions relating to foul water drainage are unnecessary, given the requirements of legislative provisions separate to the land use planning regime.
- A condition relating to the completion of off-site network reinforcement would be unreasonable where development timescales provide the sewerage undertaker adequate time to implement any necessary improvement measures to the public sewerage network.

Case law has set a precedent relating to the consistency of decision making by planning authorities or inspectors, confirming that whilst a decision maker can depart from a previous decision which considered the same or similar facts, they must fully justify the reasons for doing so. (Fox Vs SoS [2012] EWCA Civ 1198).

D.7 As set out in Section B and Appendix 1, the Sewerage Undertaker has evaluated the drainage strategy for this development and confirmed that the public sewerage system has available capacity to accommodate the associated foul water flows. It would be unreasonable to impose a planning condition relating to foul drainage for the following reasons:

- No network reinforcement is required to meet the needs of this development. A condition requiring restriction of the commencement and/or occupation of the development is therefore unnecessary.
- All matters relating to the design and construction of sewerage systems for new development as well as connection to existing networks are covered by the provisions of primary legislation (WIA1991). A planning condition requiring submission to the planning authority of details relating to such matters would be an unnecessary duplication and therefore unreasonable.

E. Summary

- E.1 It is clear from the above analysis of both legal and technical aspects relating to foul drainage, that this development can be effectually drained without causing detriment to the public sewerage network.
- E.2 Section B of this report demonstrates how this development can be drained, with an onsite sewerage system constructed and connected to the public sewerage network. It has been established that the public sewerage system has available capacity to accommodate the associated foul water flows.
- E.3 Section C of this report explains how the Sewerage Undertaker is funded to make any necessary alterations to its sewer network to accommodate development. Much of the detail in this section is for information only in this case, as network reinforcement is not required in this case.
- E.4 Section D of this report highlights the separate legislative regimes that operate within the planning system and the water industry and demonstrate that a foul drainage planning condition is not required. Matters pertaining to foul drainage and sewage treatment for this development are fully addressed by water industry legislation.
- E.5 The developer has a right to connect to the public sewerage network at a point of its choosing and the Sewerage Undertaker has a duty to carry out any works necessary to accommodate associated foul water flows (s106 and s94 of the WIA1991).
- E.6 If the Sewerage Undertaker requires construction of foul drainage works for this development to be carried out in an alternative manner or connection at a different location to that proposed by the developer, it can compel the developer (through s112 of the WIA1991) to undertake additional works to achieve this.
- E.7 Planning appeal decisions have confirmed that conditions relating to foul drainage are unnecessary and/or unreasonable. Case law has set precedent relating to the consistency of decision making by planning authorities or inspectors, confirming that whilst a decision maker can depart from a previous decision which considered the same or similar facts, they must fully justify the reasons for doing so. (Fox Vs SoS [2012] EWCA Civ 1198).
- E.8 The grant of outline planning permission for this development will give the Sewerage Undertaker sufficient certainty that it will go ahead. This will allow it to update its records and ensure that its systems can meet the demands of all existing and proposed developments in this area.

- E.9 In summary, this report clearly demonstrates how the proposed development can be effectually drained and that it will not cause any detriment to the public sewerage system. Matters relating to foul drainage have been properly assessed and are comprehensively addressed in other primary legislation, meaning there is no impact which would make the development unacceptable in planning terms in the absence of a condition. Adopting the tests at NPPF paragraph 55, any condition related to foul drainage is unnecessary, irrelevant to planning and unreasonable.

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Utility Law Solutions – Company Overview

ULS is owned and operated by Philip Day and Alex Day and was incorporated in 2007. Since its inception, ULS has provided advice and assistance to developers, landowners and other bodies operating in the house building sector on issues relating to foul drainage, sewage treatment and associated infrastructure matters.

Prior to the formation of ULS Philip Day and Alex Day were both employed in the Water & Sewerage Industry by Severn Trent Water, being one of the largest sewerage undertakers in the UK. Philip and Alex therefore have first-hand knowledge of the operation of sewerage undertakers and how they interact with developers and others in the house building industry.

Before leaving Severn Trent Water to set up Utility Law Solutions, Philip was their Principal Legal Advisor for Asset Management matters. In this role Philip's responsibilities were wide ranging and included the provision of legal advice and support to the business in relation to all asset management issues arising out of the company activities in sewage treatment, water supply and networks (water main and sewerage systems). During his time with Severn Trent Water, Philip was *inter alia* directly responsible for all legal aspects relating to:–

- Advice on the effects of the Water Industry Act 1991 and related legislation
- Obligations of sewerage undertakers in relation to the section 94 duty
- Formulation of policies and procedures in relation to the connection of infrastructure to new developments including resolution of development related problems/disputes
- Sustainable Drainage Systems (SuDS) - Member of the National SuDS Working Group providing legal support which culminated in the Interim Code of Practice for Sustainable Drainage Systems
- Sewers for Adoption – Provision of legal support for Sewers for Adoption 5 and 6, including creating a new national agreement
- Development through Water UK involvement, of water company positions in relation to Private Sewers legislation, New Roads and Street Works and Traffic Management Acts, Environmental Liability Directive, Section 101A (rural sewers) applications and processes and Environmental Information Regulations

Alex was employed by Severn Trent Water in its Developer Services and New Connections department with duties including assessing and communicating the impact of new developments on existing sewerage networks and evaluating sewer designs proposed by developers in accordance with industry standards. Alex worked in close collaboration with the Asset Protection and the Legal departments in Severn Trent providing an important link for his own team to ensure that all activities relating to new development complied with both statutory provisions and protected the technical requirements of the company. Alex also spent 4 years prior to joining ULS working as a consultant to developers providing advice on matters including the impact of proposed developments on sewerage networks and acting as an agent in communicating with sewerage undertakers.

www.utilitylawsolutions.co.uk

Utility Law Solutions Ltd – Registered in England No. 6072562
Registered Office: 12 Payton Street, Stratford upon Avon, Warwickshire, CV37 6UA

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Appendix 1

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From: Alison Kurobasa <Alison.Kurobasa@wessexwater.co.uk>
Sent: 21 May 2019 10:44
To: philip.day@utilitylawsolutions.co.uk
Subject: WWDevResp ST85SE_465 Development off Storridge Road, Westbury -
New Application following refusal of original.

Hello Philip

Thank you for your enquiry relating to a new planning application and development proposals following refusal of the original outline application.

Our previous replies remain valid and I have attached a copy of my original planning comments for your information. Please note the references to existing apparatus, easements and buffer zones.

Capacity will be available at Hawkridge Park SPS for foul water disposal.

Regards

ALISON KUROBASA
PLANNING LIAISON

Wessex Water

Claverton Down Bath BA2 7WW

wessexwater.co.uk

From: philip.day@utilitylawsolutions.co.uk <philip.day@utilitylawsolutions.co.uk>
Sent: 07 May 2019 13:21
To: Planning Liaison <planning.liaison@wessexwater.co.uk>
Cc: alex.day@utilitylawsolutions.co.uk
Subject: FW: WWResp: ST85SE_465 Development off Storridge Road, Westbury

Good afternoon

We had an exchange of emails regarding this development site in 2016 and 2017 – see below and attached.

Following a refusal of the original planning application a 2nd application is now proposed with units numbers still at 200.

You indicated in your previous responses that the Hawkridge Park SPS (which immediately adjoins the site) had capacity is available to serve the development. So far as we can tell, there have been no new planning approvals granted since 2017 for development which would drain to this pumping station.

Please can you confirm that the Hawkridge Park SPS still has the capacity available to serve the development and provide any further comments.

I look forward to hearing from you.

Kind regards

Philip R. Day
Director
Utility Law Solutions Ltd

[REDACTED]

01789 730297

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From: Dave Ogborne [mailto:Dave.Ogborne@wessexwater.co.uk]
Sent: 13 September 2017 13:17
To: Philip Day <philip.day@utilitylawsolutions.co.uk>
Cc: alex.day@utilitylawsolutions.co.uk; Teddy Takyi-Amuah <Teddy.Takyi-Amuah@wessexwater.co.uk>
Subject: WWResp: ST85SE_465 Development off Storridge Road, Westbury

Philip

Thank you for your enquiry regarding the revised proposals.

We can advise that the previous reply remains valid and capacity is available at Hawkridge Park SPS for foul water disposal.

regards

Dave Ogborne
Planning Liaison Manager
Wessex Water
Claverton Down Bath BA2 7WW

From: Philip Day [mailto:philip.day@utilitylawsolutions.co.uk]

Sent: 16 August 2017 16:33

To: 'Dave Ogborne' <Dave.Ogborne@wessexwater.co.uk>

Cc: alex.day@utilitylawsolutions.co.uk

Subject: Development off Storridge Road, Westbury

Dave

We had an exchange of emails regarding this development site in the middle of last year – copy attached.

Submission of the planning application was delayed but things are now on the move again.

You indicated in your response of 23rd May last year that the Hawkridge Park SPS (which immediately adjoins the site) had capacity is available to serve the development.

The overall foul drainage strategy on the site has not changed in that as the onsite public sewers to which connection is proposed are located in the southern third of the site where ground levels are higher (61 to 69 metres AOD) than in the north and west (52 to 61 metres AOD), it will not be feasible to drain the entire development under gravity to these sewers. Analysis of the invert levels of the public sewers indicates that it will be feasible to drain properties constructed in the south and east of the site under gravity, but that a pumping station will be required to convey foul flows from those proposed in the north and west to these sewers. Alternatively, it would also be feasible to collect foul flows from the entire development at the new onsite pumping station and pump them to the public sewer. The detail of the drainage strategy for the development will of course be finalised between the developer and Wessex Water as part of an adoption agreement pursuant to section 104 of the Water Industry Act 1991.

Unit numbers are down very slightly at 200 and the development framework plan is in the process of being finalised but isn't too dissimilar to the first one which ensured that the existing water supply and sewerage infrastructure assets that cross the site were accommodated in the development layout.

Please can you confirm that the Hawkrigde Park SPS still has the capacity available to serve the development.

I look forward to hearing from you.

Kind regards
Phil

Philip R. Day
Director
Utility Law Solutions Ltd

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Registered in England No. 6072562

From: Dave Ogborne [mailto:Dave.Ogborne@wessexwater.co.uk]
Sent: 22 July 2016 11:32
To: Philip Day <philip.day@utilitylawsolutions.co.uk>
Cc: alex.day@utilitylawsolutions.co.uk
Subject: WWResp - Development Framework Plan - Storridge Road, Westbury

Philip

Further to your recent enquiry relating to the development framework plan CSA/2974/101A.

We have reviewed the attached plan and we can advise that proposals appear to accommodate the existing water supply and sewerage infrastructure assets across the site.

At this stage this seems to be an appropriate approach. We would advise that these services are accurately surveyed and located before any detail design commences.

If any further information is required please advise.

regards

Dave Ogborne
Planning Liaison Manager
Wessex Water
Claverton Down
Bath
BA2 7WW
DD 01225 526169
dave.ogborne@wessexwater.co.uk

From: Philip Day [<mailto:philip.day@utilitylawsolutions.co.uk>]
Sent: 06 July 2016 17:02
To: Dave Ogborne
Cc: alex.day@utilitylawsolutions.co.uk
Subject: RE: WWResp - Development off Storridge Road, Westbury

Dave

Our clients have now developed a draft framework plan in relation to this development site, a copy of which is attached.

Having reviewed the plan and your records drawing, the proposed layout seems to adequately accommodate all of the pipework that you have highlighted together with a suitable standoff from the existing foul pumping station. Could you confirm that you agree with my thoughts and I would welcome any further comments.

Many thanks
Philip

Philip R. Day
Director


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philip.day@utilitylawsolutions.co.uk

UTILITY LAW SOLUTIONS

Registered Office: 12 Payton Street, Stratford upon Avon, Warwickshire CV37 6UA Registered in England No. 6072562

From: Dave Ogborne [<mailto:Dave.Ogborne@wessexwater.co.uk>]

Sent: 23 May 2016 11:44

To: Philip Day <philip.day@utilitylawsolutions.co.uk>

Cc: alex.day@utilitylawsolutions.co.uk

Subject: WWResp - Development off Storridge Road, Westbury

Philip

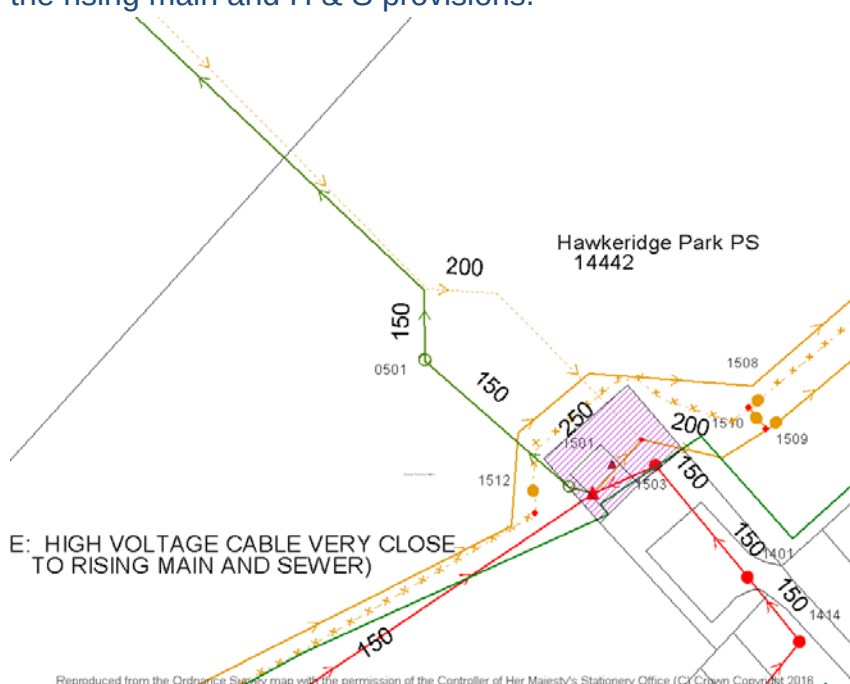
Thank you for your enquiry relating to the above site and development proposals.

There are a significant range of pipelines and services vested in Wessex Water located within the site boundaries. These are listed below for clarity;

- 3" Water main
- Hawkeridge Park SPS (14442) & 200mm dia rising main & 150mm dia gravity overflow pipe
- Abandoned 225mm dia MDPE rising main to Hawkeridge Park SPS
- 250mm dia Ductile Iron rising main from Industrial estate
- 150/100mm dia gravity sewers draining to Hawkeridge Park SPS

There is also a 200mm dia private rising main from West Wilts Trading Estate to Hawkeridge SPS close to the route of 3" water main and 150mm dia overflow pipe. Refer to attached plan below. We understand that this private rising main will transfer to Wessex Water as public from October 2016 under the Private Transfer Regulations 2011.

HV Electricity cables are also recorded on our records owing to the close proximity to the rising main and H & S provisions.



New properties should maintain a clear 15 m from the existing pumping station to avoid any complaint from odour, noise or vibration.

We can agree with the first set of points 1 – 3 stated below subject to satisfactory engineering proposals. We have suffered significant operational problems with rising mains at this location and any diversion will need careful design and construction to divert existing pipelines. We will need to maintain the hydraulic profile and properties of these rising mains within acceptable limits – this may prove restrictive in some circumstances.

The easement plan appears to support the location of public sewer assets apart from the line following the northeast-southwest boundary where we believe this may be a cable.

Points of connection are difficult to predict with such a variable range of development options that may be brought forward. Separate systems of drainage will be required to serve development proposals. There are no public surface water systems in this location. Surface water should be taken to local land drainage systems with any necessary flood risk measures agreed by the Lead Local Flood Authority.

Existing foul flows drain to Hawkrigge Park SPS where capacity is available to serve the development. It appears that flows from the north-eastern corner will require pumping to Hawkrigge Park SPS. Local points of connection to existing gravity sewers can be determined once the layout has been developed. Further consultation with Wessex Water will be necessary at a later stage to agree outline arrangements for any pipeline diversions, changes to ground levels and points of connection.

We hope this helps answer some of your questions with guidance for future reference. You may wish to follow up with further detail to provide more clarity on some of the outstanding matters.

Please call me to discuss if necessary.

regards

Dave Ogborne

Planning Liaison Manager

Wessex Water

Claverton Down, Bath BA2 7WW

DD 01225 526169

dave.ogborne@wessexwater.co.uk

From: Philip Day [<mailto:philip.day@utilitylawsolutions.co.uk>]

Sent: 16 May 2016 15:28

To: Dave Ogborne

Cc: alex.day@utilitylawsolutions.co.uk

Subject: Development off Storridge Road, Westbury

Hi Dave,

We have been instructed in relation to a proposed development off Storridge Road, Westbury, the location plan for which is attached. It is currently proposed that an outline planning application will be submitted in a few months. I will set out below our current thoughts in relation to draining foul flows from this site and would welcome your assessment of the proposals and specific comments on connection points, onsite public sewer constraints and available sewerage/sewage treatment capacity.

The development of the site is somewhat complicated by the number of Wessex Water assets that traverse the site. There are three types of sewer crossing the site and our thoughts in relation to these are set out below:-

1. Gravity sewers - in red, these should be able to be incorporated into the new gravity sewerage system that will be constructed to serve the site
2. Rising mains - in orange, there are three of these crossing the site – all could potentially be diverted within the development site (i.e. their lines tweaked to follow roads, POS etc.) but their entry and exit points may be fixed.
3. Combined Sewer Overflow – in green, this is a presumably a gravity pipe that takes an overflow from the existing pumping station immediately adjoining the site to what appears to be a watercourse. As with the rising mains, the entry and exits points may be fixed but if the gradients permit it may be possible to divert this pipe to accommodate the development layout, but it may be quite deep.

Assuming that none of Wessex Waters' pipes can be built over, we would like to understand the easement for each pipe together with the potential for diversion. Presumably, the pipes that remain in situ or are diverted can be located in public open space or under roads/footpaths. In addition to understanding any capacity issues, we would welcome your thoughts on these matters.

I have also attached the following:-

1. a topographical survey
2. sewer map
3. developable areas plan roughly showing easement constraints
4. sewer map extract indicating potential connection points

In summary:-

1. An initial appraisal of the site indicates that it could accommodate up to 250 residential dwellings.
2. The attached sewer map extract shows potential connection points but the north west part of the site may need to be pumped back to the new gravity network. Alternatively, given the presence of a sewage treatment works (unless abandoned) to the immediate southwest of the site, could all foul flows could be pumped to the inlet works (or nearby point of adequacy) if there are capacity issues in the sewerage network?
3. The ground levels on this site fall naturally from southeast to northwest. Although we don't know the invert levels of the onsite public sewers, it seems likely that much of the site can be gravitated to existing Wessex Water sewers or even direct to the wet well of the adjoining Wessex Water pumping station. Perhaps you could have a look at your records for inverts, along with the topo survey and confirm whether you concur that this would be the case.
4. Timescales for the site following outline consent, sale and reserved matters are start on site in 2018, first flows early 2019 and site completion in around 2024.

I would be grateful if you could let us know what would be the preferred connection point(s) for Wessex Water and to evaluate whether there are any capacity constraints in relation to accommodating the foul flows from the proposed development.

I look forward to hearing from you,

Regards

Phil

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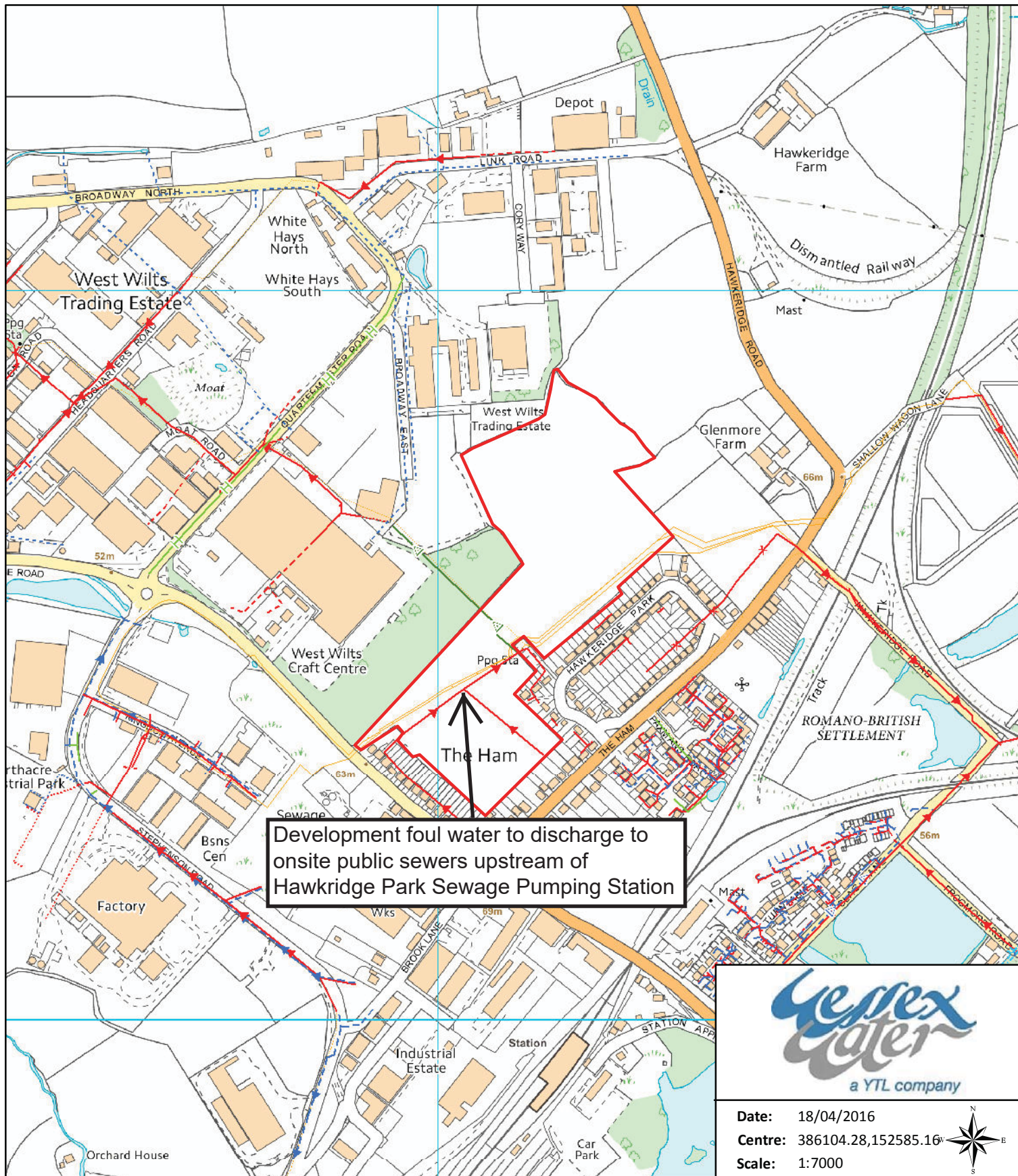
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Appendix 2

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VACANT LAND AT THE HAM, WESTBURY, WILTSHIRE, BA13 4HX



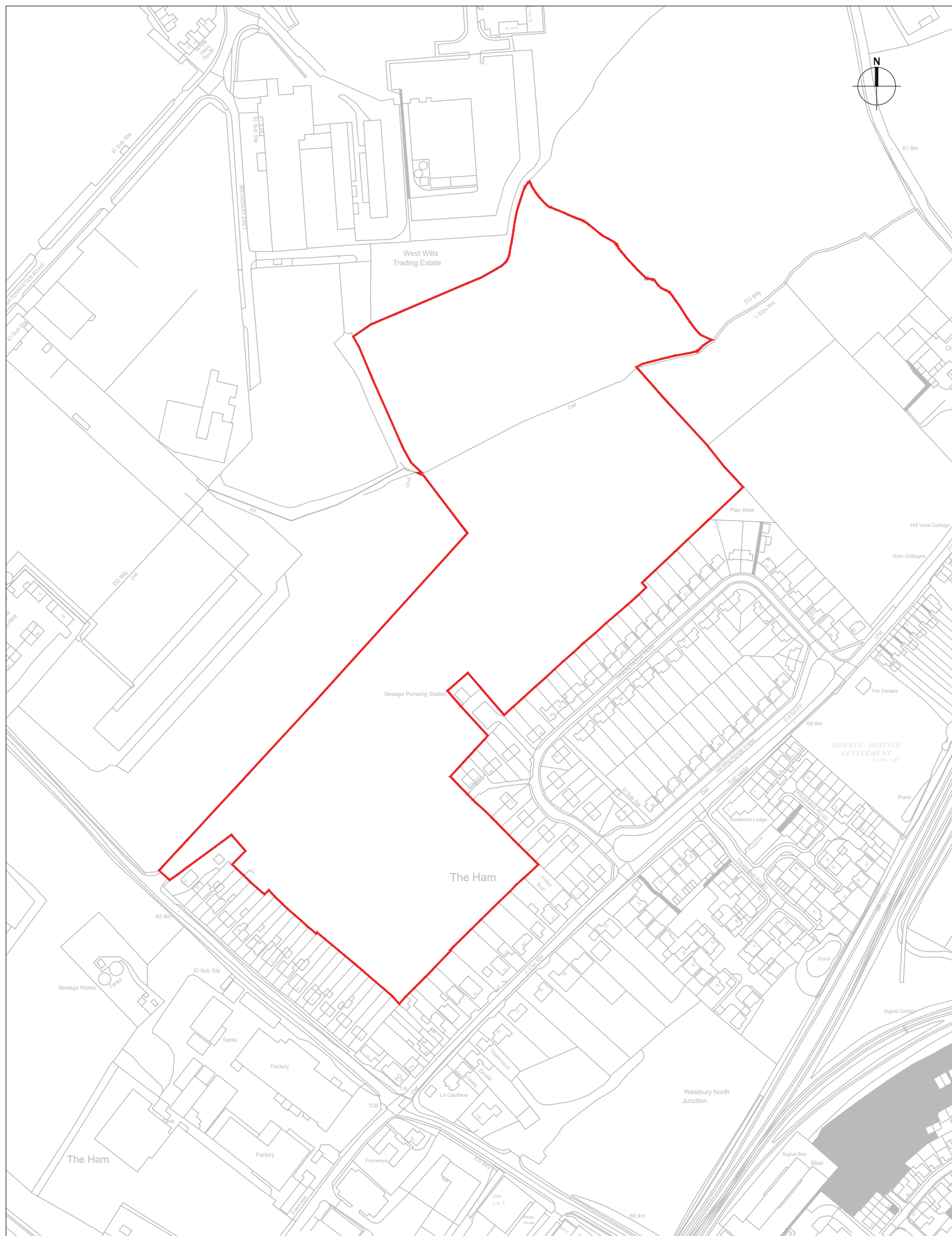
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Information in this plan is provided for identification purposes only. No warranty as to accuracy is given or implied. The precise route of pipe work may not exactly match that shown. Wessex Water does not accept liability for inaccuracies. Sewers and lateral drains adopted by Wessex Water under the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011 are to be plotted over time and may not yet be shown. In carrying out any works, you accept liability for the cost of any repairs to Wessex Water apparatus damaged as a result of your works. You are advised to commence excavations using hand tools only. Mechanical digging equipment should not be used until pipe work has been precisely located. If you are considering any form of building works and pipe work is shown within the boundary of your property or a property to be purchased (or very close by) a surveyor should plot its exact position prior to commencing works or purchase. Building over or near Wessex Water's apparatus is not normally permitted.

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Appendix 3

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Location Plan

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Appendix 4

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Water Industry Legislation

Summary

The Water Industry Act 1991 (WIA1991) provides a full legislative framework, incorporating provisions that ensure new developments can be effectually drained with onsite sewers being connected to the public sewerage network and subsequently adopted. The WIA1991 also contains safeguards to ensure that foul water flows resulting from new development do not cause detriment to the existing public sewerage network. A duty is imposed on sewerage undertakers by the WIA1991 to improve/upgrade public sewer networks to ensure the needs of new development can be met. Where it is perceived that new flows may cause detriment to public sewer networks, in addition to its duty to improve/upgrade, a sewerage undertaker also has the ability to compel a developer to connect at a point of adequacy on its system or otherwise alter the proposed drainage arrangements.

It should also be noted that the WIA1991 provides for the water industry regulator to arbitrate on disputes between developers and sewerage undertakers on sewer connections and the provision of sewerage infrastructure in the event that such a dispute cannot be resolved between the parties. Involving the planning system in such matters is both unnecessary and has the potential to cause conflicts between the two legislative regimes.

The relevant sections of the WIA1991 which confirm the above statements are set out in full below but for convenience can be summarised as follows:

Section 104 – Sewer Adoption Agreements

Section 104 of the WIA1991 provides for developers to enter into a section 104 sewer adoption agreement in conjunction with exercising rights to connect to the public sewerage network under section 106(1) WIA1991.

Section 106 – Right to Communicate with Public Sewers.

Developers enjoy a statutory right to connect new sewers to existing public sewers under section 106 (1) of the WIA1991 and sewerage undertakers do not have the ability to refuse a connection on the grounds of capacity in the local sewerage network and/or sewage treatment works.

Section 107 entitles the sewerage undertaker to give notice within 14 days of receipt of a notice under section 106(3) that it intends to make the communication itself. In that event the developer has to pay the reasonable cost of the work.

The Supreme Court in its judgment against a sewerage undertaker upheld this long-standing absolute right of connection to available public sewers (Barratt Homes Limited (Respondents) v Dwr Cymru Cyfyngedig (Welsh Water) (Appellants) – paragraphs 23-26, 41, 55).

The following extract from the judgment highlights some of the issues that were considered (with the key parts underlined):

41. The real problem that is demonstrated by the facts of this case arises out of the “absolute right” conferred by section 106 of the 1991 Act on the owner or occupier of premises to connect those premises to a public sewer without any requirement to give more than 21 days notice. While this might create no problem in the case of an individual dwelling house, it is manifestly unsatisfactory in relation to a development that may, as in the present case, add 25% or more to the load on the public sewer. The public sewer may well not have surplus capacity capable of accommodating the increased load without the risk of flooding unless the undertaker has received sufficient advance notice of the increase and has been able to take the necessary measures to increase its capacity.

57. As OFWAT has pointed out, although the 1991 Act affords no such right, there is a case for deferring the right to connect to a public sewer in order to give a sewerage undertaker a reasonable opportunity to make sure that the public sewer will be able to accommodate the increased loading that the connection will bring. The only way of achieving such a deferral would appear to be through the planning process. Some difficult issues of principle arise however:

□ Is it reasonable to expect the sewerage undertaker to upgrade a public sewerage system to accommodate linkage with a proposed development regardless of the expenditure that this will involve?

□ How long is it reasonable to allow a sewerage undertaker to upgrade the public sewerage system?

□ Is it reasonable to allow the sewerage undertaker to delay planned upgrading of a public sewer in the hope or expectation that this will put pressure on the developer himself to fund the upgrading?

A 21 day notice is only exercisable when the sewer that is required to connect flows from a new development has actually been constructed (as confirmed by Ofwat in a formal Determination). The development timescales set out in Section C above demonstrate that in reality sewerage undertakers always have significant periods of notice before new flows need to be accommodated in the public system.

Section 94 – A Sewerage Undertaker’s General Duty to Provide a Sewerage and Sewage Disposal System

Under section 94 (1) of the WIA1991, sewerage undertakers have a duty to provide, improve, extend and make provision for the emptying of their sewerage systems by effectually dealing, by means of sewage disposal works or otherwise, with the contents of those sewers that comprise the public sewerage system. The provisions of this section relate not only to long term capital works to improve the sewerage

system generally, but also place a duty on the sewerage undertaker to react to changes in the level of discharges into its networks.

Section 94(1) places a duty on sewerage undertakers to plan and implement any works necessary to ensure their network of sewers (and sewage treatment facilities) continues to operate satisfactorily once they have received notification that a developer intends to exercise the right to connect under section 106(1). In reality, a sewerage undertaker has sufficient certainty (and time as a result of the advance notice they receive) that a development will be proceeding on the grant of planning permission (outline or full) and should consider any necessary actions to comply with its section 94 duty at that stage. Conversely, until a sewerage undertaker has certainty that sufficient development will take place in a particular area, it is unlikely that any investment in sewerage or sewage treatment will be allocated. It is therefore illogical to refuse to grant planning permission for developments on the grounds that no improvement works are planned for a particular area.

Section 112 – An Alternative to Works under the Section 94 Duty

Whilst all developers and landowners have an absolute right to connect to the public sewer nearest to their premises, in some circumstances it may be the case that the sewerage undertaker requires drainage systems to be constructed in a manner which better protects the existing public sewerage and/or sewage treatment systems. It may for example be beneficial for a sewerage undertaker to require that a developer connects at an alternative location which constitutes a point of adequacy or provide onsite attenuation to ensure that new flows are only discharged at a specific rate or during certain times until any deficiencies in its systems have been resolved. Given the rights and duties under section 106 and 94 of the WIA1991, it would not however be appropriate to expect a developer to pay for any additional works. Section 112 of the WIA1991 provides a mechanism for sewerage undertakers to compel a developer to carry out alternative works (s112 (1)), but with the difference of cost being met by the sewerage undertaker (s112 (6)).

Clearly if compelling alternative works would be more cost effective for a sewerage undertaker than implementing sewer or sewage treatment improvement works under its section 94 duty or would allow extra time to carry out such works, this option is both viable and useful to ensure that a development can be effectually drained.

Section 104 - Agreements to adopt sewer, drain or sewage disposal works, at future date

(1) Subject to subsection (7) and section 146(3) below, a sewerage undertaker may agree with—

(a) any person constructing or proposing to construct -

- (i) any sewer;
- (ii) any drain which is intended to communicate with a public sewer vested in that undertaker; or
- (iii) any sewage disposal works; or

(b) any person at whose expense the undertaker is, by virtue of an agreement under section 160 below, to carry out work in connection with the construction of such a drain or sewer,

that, if the sewer, drain or sewage disposal works is or are constructed in accordance with the terms of the agreement, the undertaker will, upon completion of the work, at some specified date or on the happening of some future event, declare the sewer or such part of the drain as constitutes the lateral drain or the works (as the case may be) to be vested in that undertaker.

(2) A person mentioned in paragraph (a) or (b) of subsection (1) above may make an application to a sewerage undertaker requesting the undertaker to make an agreement under this section.

Section 106 – Right to Communicate with Public Sewers

(1) Subject to the provisions of this section -

- (a) the owner or occupier of any premises, or
- (b) the owner of any private sewer which drains premises,

shall be entitled to have his drains or sewer communicate with the public sewer of any sewerage undertaker and thereby to discharge foul water and surface water from those premises or that private sewer.

(1A) In this section, and in sections 107 to 109, 111, 113 to 116, 118, 119, 124, 127, 139 and 146 below -

- (a) references (however expressed) to a public sewer include a public lateral drain which satisfies sewer standards; and
- (b) for the purposes of paragraph (a) above

- (i) a “public lateral drain” is a lateral drain which either belongs to the sewerage undertaker or is vested in the sewerage undertaker by virtue of a declaration made under section 102 above or under an agreement made under section 104 above; and
 - (ii) “sewer standards” means such standards of construction and repair as the undertaker would require if the public lateral drain or part of it were to become a public sewer.

(2) Subject to the provisions of Chapter III of this Part, nothing in subsection (1) above shall entitle any person -

- (a) to discharge directly or indirectly into any public sewer -

- (i) any liquid from a factory, other than domestic sewage or surface or storm water, or any liquid from a manufacturing process; or
 - (ii) any liquid or other matter the discharge of which into public sewers is prohibited by or under any enactment; or

- (b) where separate public sewers are provided for foul water and for surface water, to discharge directly or indirectly -

- (i) foul water into a sewer provided for surface water; or
 - (ii) except with the approval of the undertaker, surface water into a sewer provided for foul water; or

- (c) to have his drains or sewer made to communicate directly with a storm-water overflow sewer.

(3) A person desirous of availing himself of his entitlement under this section shall give notice of his proposals to the sewerage undertaker in question.

(4) At any time within twenty-one days after a sewerage undertaker receives a notice under subsection (3) above, the undertaker may by notice to the person who gave the notice refuse to permit the communication to be made, if it appears to the undertaker that the mode of construction or condition of the drain or sewer –

- (a) does not satisfy the standards reasonably required by the undertaker; or
- (b) is such that the making of the communication would be prejudicial to the undertaker's sewerage system.

(5) For the purpose of examining the mode of construction and condition of a drain or sewer to which a notice under subsection (3) above relates a sewerage undertaker may, if necessary, require it to be laid open for inspection.

(5A) Where the sewer or drain satisfies the standards reasonably required by it, a sewerage undertaker may, as a condition of permitting the communication to be made, require that the sewer or that part of the drain forming the lateral drain be vested in it by virtue of a declaration under section 102 above.

(6) Any question arising under subsections (3) to (5A) above between a sewerage undertaker and a person proposing to make a communication as to -

- (a) the reasonableness of the undertaker's refusal to permit a communication to be made; or
- (b) as to the reasonableness of any requirement under subsection (5) [or (5A) above, may, on the application of that person, be determined by the Authority under section 30A above (and, accordingly, section 105 above shall not apply to any requirement under subsection (5A) above).

(7)

(8) Where a person proposes under this section to make a communication between a drain or sewer and such a public sewer in Greater London as is used for the general reception of sewage from other public sewers and is not substantially used for the reception of sewage from private sewers and drains -

- (a) the grounds on which a sewerage undertaker may refuse to permit the communication shall be such grounds as the undertaker thinks fit; and
- (b) no application to the Authority may be made under subsection (6) above in respect of any refusal under this subsection.

(9) In this section "factory" has the same meaning as in the Factories Act 1961.

Section 94 - General Duty to Provide Sewerage System

(1) It shall be the duty of every sewerage undertaker -

- (a) to provide, improve and extend such a system of public sewers (whether inside its area or elsewhere) and so to cleanse and maintain those sewers and any lateral drains which belong to or vest in the undertaker as to ensure that that area is and continues to be effectually drained; and
- (b) to make provision for the emptying of those sewers and such further provision (whether inside its area or elsewhere) as is necessary from time to time for effectually dealing, by means of sewage disposal works or otherwise, with the contents of those sewers.

(2) It shall be the duty of a sewerage undertaker in performing its duty under subsection (1) above to have regard -

- (a) to its existing and likely future obligations to allow for the discharge of trade effluent into its public sewers; and
- (b) to the need to provide for the disposal of trade effluent which is so discharged.

(3) The duty of a sewerage undertaker under subsection (1) above shall be enforceable under section 18 above -

- (a) by the Secretary of State; or
- (b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Authority.

(4) The obligations imposed on a sewerage undertaker by the following Chapters of this Part, and the remedies available in respect of contraventions of those obligations, shall be in addition to any duty imposed or remedy available by virtue of any provision of this section or section 95 below and shall not be in any way qualified by any such provision.

(5) In this section "trade effluent" has the same meaning as in Chapter III of this Part; and, accordingly, section 139 below shall have effect for the purposes of this section as it has effect for the purposes of Chapter 3 of this Part.

Section 112 – Requirement that Proposed Drain or Sewer be Constructed so as to Form Part of General System.

(1) Where -

(a) a person proposes to construct a drain or sewer; and
(b) a sewerage undertaker considers that the proposed drain or sewer is, or is likely to be, needed to form part of a general sewerage system which that undertaker provides or proposes to provide, the undertaker may require that person to construct the drain or sewer in a manner differing, as regards material or size of pipes, depth, fall, direction or outfall or otherwise, from the manner in which that person proposes, or could otherwise be required by the undertaker, to construct it.

(2) If any person on whom requirements are imposed under this section by a sewerage undertaker is aggrieved by the requirements, he may within twenty-eight days appeal to the Authority.

(3) On an appeal under subsection (2) above with respect to any requirements, the Authority may either disallow the requirements or allow them with or without modification.

(4) It shall be the duty of a person on whom requirements are imposed by a sewerage undertaker under this section to comply with those requirements.

(5) The duty of any person by virtue of subsection (4) above to comply with the requirements of a sewerage undertaker shall be owed to the undertaker; and any breach of that duty which causes the undertaker to sustain loss or damage shall be actionable at the suit of the undertaker.

(6) A sewerage undertaker which exercises the powers conferred on it by this section shall -

(a) repay to the person constructing the drain or sewer the extra expenses reasonably incurred by that person in complying with the undertaker's requirements; and
(b) until the drain or sewer becomes a public sewer, from time to time repay to that person so much of any expenses reasonably incurred by him in repairing or maintaining the drain or sewer as may be attributable to the undertaker's requirements having been imposed and complied with.

(7) Nothing in this section shall apply in relation to so much of any drain or sewer as is proposed to be constructed by any railway undertakers or dock undertakers in or on land which -

(a) belongs to them; and
(b) is held or used by them for the purposes of their undertaking.

Appendix 5

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Water Industry Legislation and the Planning Regime – ULS Analysis

The Planning Tests

The following statements are pertinent and should be applied by planning authorities when considering proposed development in conjunction with the six tests set out in the National Planning Policy Framework (NPPF) and expanded on in the Planning Practice Guidance (PPG):-

1. The actual impact on the environment of foul and wastewater drainage from a proposed development must always be evaluated with due regard to statutory provisions set out in the Water Industry Act 1991 and the duties of sewerage undertakers contained therein.
2. In considering any foul and wastewater drainage matters, the planning authority must take into consideration the fact that the developer has an absolute right to connect to the public sewerage system under section 106 of the Water Industry Act 1991 (the WIA1991), whether or not this would give rise to adverse effects e.g. increased flooding or environmental harm due to a restricted capacity in the sewerage and sewage treatment system.
3. Planning authorities must also consider the following matters:
 - a) Section 94 of the WIA1991 imposes a continuing duty on all sewerage undertakers to provide, maintain and where necessary improve its systems for collecting and treating foul and wastewater drainage so as to effectually drain its area and effectually deal with the contents of its sewers;
 - b) a sewerage undertaker is provided with the means of funding the cost of fulfilling the above duty within the WIA1991 through sewerage charges and infrastructure charges; and
 - c) the WIA1991 and the charging arrangements included at Appendix 6 clearly sets out that the costs of meeting the above duty are required to be borne by the sewerage undertaker, not the developer.
4. ULS does not believe that planning conditions relating to foul drainage are necessary for new residential development. In order for any such condition to be justified in terms of the guidance in the NPPF and PPG, the condition would also have to be shown to be necessary and reasonable. In theory a negative “Grampian” style condition could as a matter of law be imposed to restrain the occupation of development until satisfactory arrangements are made to deal with the sewage and wastewater generated. However, in practice it is clear that such a condition would fail when set against the tests in para. 55 of the NPPF and explained in the PPG on the basis that there is normally sufficient time for

the sewerage undertaker to fulfil its statutory duties as set out below or there is manifestly negligible impact on the sewerage and sewage treatment system.

5. When considered properly in the light of the structure and intentions of the WIA1991, current deficiencies in sewerage and sewage treatment provision would not in themselves justify refusal of permission or a Grampian condition. A planning authority must take into account the reasonable timescale when foul water flows from a development would start to discharge into the public sewerage and sewage treatment system, the undertaker's duties and whether such deficiencies would reasonably be expected to be addressed by the time the development imposes an additional burden on the system.
6. A condition which has the effect of compelling the developer to undertake attenuation works on site or elsewhere to alleviate the impact of foul water flows from the development on the sewerage and sewage treatment system would also be unreasonable. This is because section 112 of the WIA1991 provides a means for the sewerage undertaker to require such works as part of the private sewerage system serving the development, but on condition that the additional cost is borne by the undertaker, not the developer.
7. Finally, it is important to consider the differences between the provision of sewerage and sewage treatment and other infrastructure such as roads, schools, GP surgeries etc. It is clear that a development may need to be phased to ensure that such infrastructure is available with the necessary contributions made by developers to the cost of its provision. This is not the case with sewerage and sewage treatment provision as there is a statutory duty and statutory mechanism for financing it. Conversely no person has a statutory duty to provide roads, schools, GP surgeries etc. to serve developments and there is no means of covering its cost by charging users.

Given this analysis, planning authorities should not be refusing planning permission or imposing foul drainage conditions on developers as a matter of course, without addressing the above.

It is possible to interpret some passages in the PPG as if they were suggesting that foul drainage conditions should be imposed routinely. This is misleading as conditions relating to sewerage and sewage treatment must be considered and justified against the tests in para. 55 of the NPPF and explained in the PPG. In particular, given the provisions laid down by Parliament in the WIA1991, careful consideration will be required as to whether such a condition is necessary and whether it is reasonable. Having regard to the nature of the plan-led system and the time-scales involved in implementing a permission for residential development, it is entirely reasonable to expect a sewerage undertaker to make provision for the necessary sewerage and sewage treatment infrastructure so as to avoid the adverse

effects that may or may not be caused by new development and to fund this through the normal means of charges.

The necessity or otherwise of foul drainage planning conditions has been tested in planning appeals in which ULS has been involved. Decisions from five of these cases are outlined below:

Appeal Decision APP/F1610/A/14/2228762

The Planning Inspector made the following comment at paragraph 56:-

The foul sewage and the water supply systems involve infrastructure elements that are inadequate. The consultation response from Thames Water suggests that conditions should be imposed to require an assessment of the additional capacity that might be required and to indicate suitable connection points. However, there is a statutory duty to provide such connections under the requirements of the Water Industry Act 1991. Hence, there would be no need for planning conditions to duplicate powers available under other legislation, as the submitted notes confirm.

Appeal Decision APP/F2605/W/15/3137812

The Planning Inspector included the following comments at paragraphs 26 and 31:-

26. Many thought that the infrastructure in Watton would be unable to cope. Anglian Water has a duty to deal with foul sewage, through improvements to the system if necessary; the broad principle is that the situation should be no worse than before the development was constructed, not that development should resolve any existing problems.

31. A condition on foul sewerage (18) is unnecessary because it is the subject of other legislation.

Appeal Decision APP/D3125/W/15/3136376)

The Planning Inspector made the following comments at paragraphs 72 and 99:-

72. Turning to sewerage, it is not disputed that at present there is insufficient capacity in the existing foul network to take the predicted flows from the proposed development. However, Thames Water's Developer Services commissioned report¹¹ concludes that there is an indicative option available to address this lack of capacity. My attention was drawn to email correspondence from what appeared to be a different department of Thames Water¹²,

¹¹ Sewer Impact Study X4503 -1010 SMG 1876 Proposed Connection at New Yatt Road North Leigh Foul System January 2016

¹² See Inquiry Document 22

99. *On the basis of evidence presented to me, I am not persuaded that conditions relating to fire hydrant provision and foul water drainage are necessary, given the requirements of legislative provisions outwith the land use planning regime.*

Appeal Decision APP/ APP/D3125/W/15/3005737

The Secretary of State and Planning Inspector made the following comments at paragraphs 20 and 231:-

20. The Secretary of State has given consideration to the Inspector's analysis at IR214-231, the recommended conditions set out at the end of the IR and the reasons for them, and to national policy in paragraph 55 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector and set out at Annex A to this letter, including the limitation to 260 dwellings, comply with the policy test set out at paragraph 55 of the Framework.

231. The Council did suggest a condition relating to the submission of a drainage strategy for on and off-site works. A condition relating to surface water drainage has already been proffered for imposition. The matter at issues here is foul water drainage. This would be dealt with directly with Thames Water under other legislation outside of the planning remit. It does not seem necessary or reasonable to require the appellant company to seek approval for a scheme of foul water connection essentially from the same regulatory body twice.

Appeal Decision APP/Y2810/A/14/2228921

The Planning Inspector received an analysis from ULS based on the same principles detailed in this report and also representations from a sewerage undertaker requesting that a foul drainage planning condition was imposed. The Inspector stated that a condition relating to the completion of off-site public sewer improvement works would be unreasonable as it would be at least 2 years before any houses would be occupied and discharging foul water flows to the public sewerage network. The Inspector determined that these timescales gave the sewerage undertaker adequate time to implement any necessary improvement measures to the public sewerage network pursuant to the statutory framework that applies to the water and sewerage industry. The Inspector's full comments are set out below.

77. Anglian Water sought a condition requiring on- and off-site mains foul sewage infrastructure works prior to occupation. This would prevent any new connection overloading the sewer. However, the appellant has argued that this would be unreasonable, citing case law that: *a sewerage undertaker has no right to ... refuse a developer the right to connect with a public sewer ...*⁸. I acknowledge that if only 21 days' notice was given (being all that is required under the Water Industries Act 1991) then there would be the potential for a serious problem. However, as Anglian Water replied to statutory consultation in July 2014, and as it is likely to be at least 2 more years before any houses would be occupied, it would have adequate time to take the necessary measures. The proposed condition would therefore be unreasonable.

⁸ *Barratt Homes Limited v Dwr Cymru* [2010] Env. L. R. 14, 253, paragraph 59

Although this appeal decision has now been quashed, it was not on a matter relating to the foul drainage condition.

These decisions are clearly a material consideration in a planning authority's determination of planning applications, due to the potential requirement for the Sewerage Undertaker to provide additional sewerage and/or sewage treatment capacity to accommodate foul water flows from developments. Case law has set a precedent relating to the consistency of decision making by planning authorities or inspectors, confirming that whilst a decision maker can depart from a previous decision which considered the same or similar facts, they must fully justify the reasons for doing so. (*Fox Vs SoS* [2012] EWCA Civ 1198).

Adopting the tests at NPPF para. 55 and following the approach taken these appeals, conditions relating to foul drainage would be unnecessary and/or unreasonable. A sewerage undertaker (and occasionally the Environment Agency) will often suggest that detriment may be caused to the public sewerage system by the foul water flows from a development unless a condition is imposed. It is understandable that this would be of concern to a planning authority and this is no doubt the reason that planning authorities have tended to routinely apply planning conditions put forward by sewerage undertakers. However, in reality, the "risk" is not created by the development itself and would only occur if a sewerage undertaker failed to undertake its statutory obligations as detailed in this report to fund and carry out improvements to the sewer and/or sewage treatment systems if any are required, in a timely manner. The fact that a sewerage undertaker requests development to be delayed until it is prepared to make the necessary investment (for which it is already funded), means that a private company is in effect seeking to dictate when homes which are required to meet housing need, can be delivered. This is not a practice that should be perpetuated within the planning system.

The imposition of unnecessary/unreasonable foul drainage conditions on planning permissions requiring prior approval of drainage schemes or hydraulic modelling, can add considerable expense and delay to the implementation of permissions and the delivery of new homes.

The Sewerage Undertaker's Duties

Sewerage (the piped network) or waste water treatment capacity for a development should be provided by the incumbent sewerage undertaker on the basis that reasonable notice of a proposed development has been provided by a developer or landowner. Indeed, a sewerage undertaker has a statutory duty to do so. Where the impact on the sewerage system is negligible no additional capacity will be required and no action by the sewerage undertaker would be necessary. As such, foul drainage does not generally represent a constraint in planning terms to development. There is a separate statutory regime in place which adequately addresses foul drainage matters. Should a development be granted outline planning permission, the Sewerage Undertaker has sufficient time and has the knowledge and expertise to fully assess the potential impact on its sewerage network and implement any necessary improvement works that may be required to accommodate new foul water flows.

If following evaluation the Sewerage Undertaker considers that improvement works are required to its sewerage network or sewage treatment works, it is funded to ensure that such improvements are made in order to comply with its statutory duty to "provide, improve and extend" its network. It would therefore be unreasonable to delay the start or progress of a development once planning permission has been granted.

With regard to sewage treatment, each Waste Water Treatment Works (WWTW) in a sewerage undertakers operating area has a consent to discharge treated effluent to a body of water (typically a watercourse/river). Such consents are issued by the Environment Agency (EA) and incorporate a number of parameters in relation to both biological load (quality of effluent discharge) and dry weather flow (quantity of discharge). A WWTW is required by the EA to operate within these consent parameters.

The quality and quantity of effluent discharged from a WWTW is measured by the sewerage undertaker responsible against its consent parameters, typically on a monthly basis giving 12 reports per year to the EA confirming whether or not the WWTW is operating within its consent. Clearly as a particular works approaches the limits of its consent parameters, a sewerage undertaker must give regard to the likely level of growth in the catchment area of the WWTW and look at what investment may be required, either by installing new plant or altering the operation of existing plant, to ensure any new flows can be accommodated without exceeding the limits

imposed by the EA. Any sewerage undertaker which does not take such action for works approaching capacity is failing in its statutory duty under section 94 as outlined above. How the quality and quantity of discharge from a WWTW is measured varies from specific monitoring devices within a works to estimates based on the size of the population for the contributing catchment area.

Should a particular WWTW fail to meet its consent parameters on two or more occasions within a twelve month period, discussions will be held between the EA and the sewerage undertaker as to what improvements can be made to bring discharges back within the set limits. During such discussions, the consent parameters may be tightened or amended to suit the facts of the case and to ensure water quality in the receiving body is protected. In reality, because of the gradual nature of growth in any particular area, even where a works is deemed to have failed against its consent parameters, this is only likely to be by a very small amount and provided appropriate action is taken by the sewerage undertaker, an agreement can be made with the EA as to how the WWTW can be managed to ensure it operates within its consent (whether or not this is amended).

Where a WWTW is close to or has failed to meet its consent parameters, it is often possible to implement temporary measures (in operational procedures or provision of additional storage/treatment apparatus) to mitigate against the immediate small exceedance in quality or quantity while funding is allocated and feasibility studies carried out to allow a long-term solution to be implemented to ensure that future additional growth can be catered for.

It is a matter for any sewerage undertaker to manage its consents with the EA and ensure that its WWTW's stay within their consent parameters. This is an ongoing process and it is unreasonable to suggest that a specific development, particularly one which is modestly sized in comparison to overall catchment population, will have a significant and unmanageable influence on a WWTW and its ability to operate within limits set by the EA. This is not a matter which can be influenced by a developer and as such to prevent or delay a development from proceeding because a sewerage undertaker may be forced to take action and fund improvement works to comply with its statutory duties is unreasonable.

Summary

Unless sewerage undertakers have certainty that sufficient development will take place in a particular area, it is unlikely that any investment in sewerage or sewage treatment will be allocated. In the event that the Sewerage Undertaker considers that it has hydraulic or capacity issues with its sewerage and sewage treatment systems for this and other development in the area, it would be unreasonable and illogical to refuse planning permission on the grounds that no sewerage or sewage treatment improvement works are planned for the network to which this development will

discharge foul water flows. Only granting planning permission for developments without foul drainage planning conditions will ensure that the Sewerage Undertaker fully considers the current drainage network and systems in line with its statutory duties. This will provide a benefit not only to new development, but also potentially the existing settlement.

Because of the rights and duties outlined above, where a sewerage undertaker perceives there to be a potential inadequacy in its sewerage or sewage treatment systems to accommodate new foul water flows, it will often make representations to planning authorities recommending that planning conditions relating to foul drainage are imposed.

The point of principle is that as a matter of law, the WIA1991 expressly places a duty on sewerage undertakers to provide, improve, extend and maintain a system of sewers and sewage treatment facilities so as to ensure that their area is and continues to be effectually drained. Sewerage undertakers are fully funded to carry out any necessary improvement works through the statutory based charges they levy. The WIA1991 then gives domestic owners and occupiers an absolute right to connect into the public system (subject only to their private drains being of proper construction and condition). To apply planning policy so as to relieve the undertakers of that duty and negate the rights of owners and occupiers conflicts with primary legislation which already protects both new developments and existing property owners. This is unreasonable where matters relating to foul drainage can be suitably addressed through the appropriate statutory regime which governs the water and sewerage industry.

In our experience, planning authorities often impose a planning condition in relation to foul drainage on the advice of sewerage undertakers without proper consideration of not only how this impacts on effective and economic development, but also whether it conflicts with statutory rights and duties imposed by water and sewerage industry primary legislation.

When considering the drainage related aspects of a planning application, the correct approach in law should be as follows:

- To have regard to the absolute right to connect to the public sewerage system, while taking into account the general duty that section 94 of the WIA1991 imposes on sewerage undertakers.
- To consider whether there is any impact on the environment that would justify refusing permission and if so whether this could be mitigated by a planning condition.
- To determine whether any planning condition would meet the policy tests detailed in the NPPF and PPG.

It is clear that any planning condition relating to foul drainage is unnecessary and unreasonable as it would duplicate matters which are already satisfactorily dealt with under a separate statutory regime. Unless there is clear evidence that to fail to impose a condition would have a detrimental effect which cannot be avoided through appropriate action by a sewerage undertaker in a reasonable timeframe, connections to the local public sewerage system should be dealt with via the legislative framework contained in the WIA1991 rather than planning legislation. Imposing a condition without proof that detriment would be caused which cannot be mitigated against through action by the sewerage undertaker in pursuance of its statutory duties is unreasonable and would fail some or all of the 6 tests in the NPPF. The corresponding advice in the PPG explains in more detail these six tests. The detail included in paragraph 55 of the NPPF and explained in the PPG verifies that most foul drainage planning conditions fail the following tests:

- Necessity – There is no definite planning reason for such drainage conditions to make for acceptability in planning terms. All relevant matters are suitably addressed by water and sewerage industry legislation.
- Relevance to planning – Again all foul drainage matters are already addressed by separate primary legislation
- Enforceability – The upgrade of a sewerage undertaker's sewerage network or sewage treatment works is a matter over which the applicant has no control.
- Reasonability – A foul drainage condition could place an unjustifiable and disproportionate burden on the applicant, by delaying the development due to a lack of action by a sewerage undertaker (by failing to comply with its statutory duties).

Conditions relating to sewerage and sewage treatment must be considered and justified against the tests set out in the NPPF and the PPG. In particular, given the rights and duties in the Water Industry Act 1991, careful consideration is required as to the time-scales involved in implementing a permission for residential development. It is reasonable to expect the sewerage undertaker to make provision for the necessary infrastructure so as to avoid adverse effects, and to fund this through the normal means of charges. A foul drainage condition for developments would therefore fail the test of reasonableness laid out in the NPPF, given the timescales for the ultimate discharge of foul water flows from the development to the public sewerage and sewage treatment system.

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Appendix 6

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DEVELOPER SERVICES CHARGING ARRANGEMENTS

for 2019/20



FOR YOU. FOR LIFE.

Wessex Water
YTL GROUP



Executive summary

These charging arrangements set out, in a single document, our charges relating to developer services. This document is available on our website but we are happy to provide you with a copy on request.

To request a copy, please either:

Email: developer.services@wessexwater.co.uk

Telephone: 01225 526 222 or 01225 526 333

Write to: Developer Services
Wessex Water
Claverton Down
Bath, BA2 7WW

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1. Introduction

1.1 Our business

We supply water and sewerage services to more than 2.8 million customers in an area covering around 10,000 km².

Figure 1-1 Our business



Historically, we installed all the pipes required to supply new housing developments with water and sewerage services. While we still need to undertake some work to ensure new connections are safe and meet certain industry standards, customers can now choose who connects their new development to our water and sewerage networks. Water Supply Licensees (retailers for businesses) can also request that we provide new connection services on behalf of their customers.

1.2 Scope of our charging arrangements

These charging arrangements fix charges for services provided to those developing land and laying new water and sewerage infrastructure for residential and commercial purposes. Water, sewerage and trade effluent primary and non-primary charges to residential and commercial premises are fixed under separate charges schemes. These charging arrangements set out in a single document our charges for the charging year (from 1 April 2019 until 31 March 2020). These charging arrangements replace all earlier versions.

1.3 Payment

Payment is on request, as per the standard payment terms detailed on the invoice. Please see the guidance notes for each activity.

1.3.1 Debit/credit card payments

Call us on +44 (0)1225 526 222 or (0)1225 526 333 (Monday to Friday, 8:30am to 4:00pm).

1.3.2 Your bank – BACS, CHAPS, online

Payment should be made to Sort Code 40-02-50, Account Number 51385895. You must provide your reference number or invoice number(s). Payment details can be emailed to remittance@wessexwater.co.uk

1.3.3 By post

Cheques should be made payable to Wessex Water Services Limited and sent with your application or quotation.

1.3.4 Online

For payments regarding sewer connections, supply connections, buildovers, or asset maps you can pay online at <http://wessexwater.co.uk/Developer-pay/>. You can pay once you have received a reference number from Wessex Water.

1.3.5 Our bank details

Account name:	Wessex Water Services Ltd
Bank details:	HSBC Bank plc, 62-76 Park Street London, SE1 9DZ
Bank account number:	51385895
Bank sort code:	40-02-50
VAT number:	GB 520 3439 82
Company number:	2366648
Unique tax reference:	1751063520

1.4 VAT

All charges shown throughout this document are exclusive of Value Added Tax (VAT). We will add VAT, if applicable, at the appropriate rate to our charges.

The VAT rules are complex and primarily depend on the nature of the work undertaken and the type of property concerned. It is therefore not possible for us to set out the VAT liability for each item. Certain items included in this document will be treated as outside the scope of VAT, charged at either 0%, a reduced rate (currently 5%) or a standard rate of VAT (currently 20%).

For example, if you are constructing a new housing estate and require us to install a new water main that will be used solely to connect new dwellings, our charges will be zero rated for VAT purposes. In contrast, our charges to install a new water main connecting existing or commercial properties will be subject to VAT at the standard rate (currently 20%). Should the work be carried out as part of a property renovation or conversion for residential use, then VAT is likely to be charged at the reduced rate (currently 5%).

Please contact us should you require further information.

1.5 Complaints and disputes relating to standards of services

If you feel we have not met the standards of service you would expect, you can contact us in the following ways.

Email: developer.services@wessexwater.co.uk

Telephone: 01225 526 222 or 01225 526 333
Monday to Thursday, 8.30am to 4.30pm, Friday 8.30am to 4pm
To protect our customers and staff calls may be recorded

Write to: Developer Services
Wessex Water
Claverton Down
Bath, BA2 7WW

1.5.1 Escalation of your complaint

We hope we can resolve your complaint without the need for it to be escalated. We recognise, however, that you might not be happy with the way that we have resolved your complaint or the time taken to resolve it. If you are unhappy with our response, you can write to our managing director at the address given above.

1.5.2 Disputes relating to self-lay agreements

If your complaint relates to a self-lay agreement, you should direct your dispute in the first instance to our Head of Wholesale Services at the above address. If a resolution is not forthcoming, and with the agreement of both parties, the dispute should be referred to mediation in accordance with the Centre for Dispute Resolution (CEDR) Model Mediation Procedure.

If the parties do not agree to mediation, the dispute shall be referred to the decision of a single arbitrator mutually agreed upon or, failing such agreement, to be appointed by the president of the Chartered Institute of Arbitrators.

1.5.3 Complaints to Ofwat

You may, however, want to complain to Ofwat about the service or charges you have received from us, or if you feel that we are in breach of the Water Industry Act 1991 or the Competition Act 1998. Ofwat's address is given below.

Ofwat
Centre City Tower
7 Hill Street
Birmingham, B5 4UA
www.ofwat.gov.uk

1.5.4 Role of CCWater

The Consumer Council for Water (CCWater) is the representative for water and sewerage customers in England and Wales. It operates the Water Redress Scheme (WATRS) that covers some complaints about the connection charges regime.

CCWater can consider complaints concerning administration, policies or process, as well as answer queries and provide advice about the connection charges regime. If a developer remains unhappy, they are able to refer their complaints to WATRS.

1.6 Frequently asked questions

Frequently asked questions	
Can I get a paper copy of this document	You can download a copy of this document from our website or request one by phoning us on 01225 626 222 or 01225 526 333 or emailing us at developer.services@wessexwater.co.uk
Why are you setting new charges?	Changes to the Water Act 2014 enabled Ofwat to develop a new rules-based charging framework. This is intended to ensure that charges comply with overarching principles of fairness and predictability and are more customer focused.
When do the new charges take effect?	From 1 April 2019 for developments started after this date.
What if I've already started work?	Section 2.3 of this document sets out the transitional arrangements that will apply for projects started before 1 April 2018.
How do I make a complaint?	We hope you will not have reason to make a complaint, but if you do, section 1.5 sets out our procedures for handling complaints and disputes.
How do I know what work is required?	This document sets out our Charging Arrangements and should be read in conjunction with our technical guidance documents, which set out more information about the works required and industry standards.

2. Our charging arrangements – an overview

2.1 What will you need to pay to connect to our network?

Each development will have its own requirements and the cost to connect to our network will vary by site. With this in mind, we have set out our charges in a way that allows you to estimate what services you require and what costs you need to pay.

The simplest development might mean a single connection to our water mains: this would mean that you would pay only a water connection charge and an infrastructure charge, which is your contribution towards the network reinforcement required to ensure that our services can be supplied to all new developments. The most complex development might require a large number of properties to be connected to new water mains and new public sewers: a developer would therefore need to pay connection charges (water and sewerage), infrastructure charges (water and sewerage) and, if we were carrying out the work, requisition charges (water and sewerage).

Each of the services we offer are set out in this document, in the following sections.

Table 2-1 Services that you might require (and where to find them)

Service requirements	
Section 3	Applying for a new connection
Section 4	New mains connections (water)
Section 5	Mains requisitions, adoptions or diversions (water)
Section 6	New sewer connections (sewerage)
Section 7	Sewer requisitions, adoptions or diversions (sewerage)
Section 8	Infrastructure charges (water and sewerage)

2.1.1 Non-contestable and contestable works

The charges shown in each of the tables is our charge for undertaking the service provided.

- Some work needs to be undertaken by us: it is non-contestable and we need to undertake this work to meet our statutory obligations – you cannot let anyone else do this work for you.
- Other work is contestable: this is work that you can get someone else to do. Our charges set out the price we would charge if we were to complete that work.

We have made clear in this document which work is non-contestable and which is contestable. For contestable aspects, you can ask us to undertake all the work required, or you can obtain estimates from other providers for the work required. So long as you know what services you require, the tables will help you understand what charges you will incur in making the connection to your new development. You will need to estimate what works you require and we will need to review this before we can confirm what your final charges will be.

We have created a spreadsheet calculator displaying our up-front costs to aid estimation of the total charges payable, available on our website.

We recognise that you may need help understanding what works you require. We are happy to help and can arrange a site visit so that we can assess what you need to make the connection to your new development.

2.1.2 How have these charges been calculated?

Changes to the Water Act 2014 have allowed Ofwat to move away from the current legislative charging framework to a more flexible charging rules based framework. Ofwat's rules reflect guidance from Defra, which set out four overarching objectives, being:

- stable and predictable charges,
- transparent and customer focused charging,
- fairness and affordability, and
- environmental protection.

We have developed charges that, we believe, are customer focused. They comply with the requirements of Ofwat's rules and we have endeavoured to make them more transparent so that customers are clear what they are actually paying for and where they can choose an alternative provider.

We developed our charges following customer research, engagement and consultation. We appointed cost consultants to review some of our charges against industry cost curves and a sample of projects to ensure they are cost-reflective. We also asked economic consultants to review these charging arrangements and the underlying models to ensure that we are compliant with Ofwat's rules and consistent with competition law. Our technical auditor has reviewed the data and methodologies used to set our charges.

Our charges are set to recover costs that we reasonably incur. The major charges we set are based on analysis of costs incurred. These charges are as follows:

- Administration charges for new connections
- Connection charges
- Main and sewer laying rates

More peripheral charges are based on assessments of labour, plant and materials required to complete each activity, incorporating unit rates and unit costs from observed cost data.

2.1.3 Business customers

Since April 2017, businesses and other commercial customers have been able to choose their water and sewerage retailer. If you are a business, you can request any of the activities contained in this document from your retailer. Alternatively, you can contact us directly to carry out the work, or contact a self-lay provider to complete the work on your behalf.

We will apply the charges in these charging arrangements to business premises as well as domestic premises.

2.1.4 What will I actually need to pay?

You only need to pay for the services that you choose to procure from us, or that only we can provide. Some development sites will require additional services, for example where there are environmental concerns and regulations to overcome. These costs will vary by site and circumstance and are not included in these charging arrangements: we will charge for these on the basis of costs actually incurred. A description of exclusions can be found in section 2.1.7.

2.1.5 Connecting to our water and sewerage networks

Figures 2-1 and 2-2 show, schematically, where each of the charges might apply.

- Connection charges are payable for on-site works to connect new properties to our network (within the dark green area)
- Requisition charges are payable for on-site works to build new mains or sewers required to support new development (within the dark green area)
- Infrastructure charges are payable for network reinforcement required as a result of new development (within the light green area)

Works required within the pink area are not linked to new development and developers are not required to pay for these.

Figure 2-1 The water network

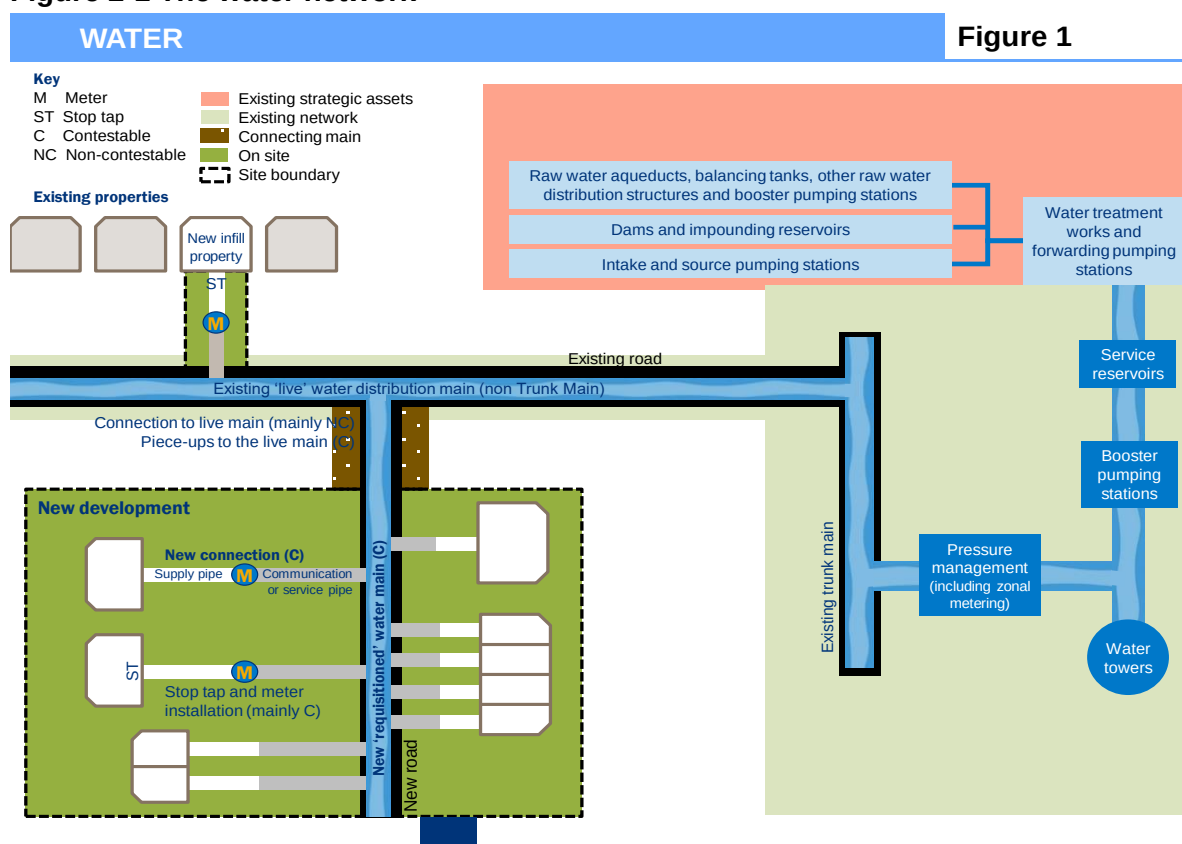
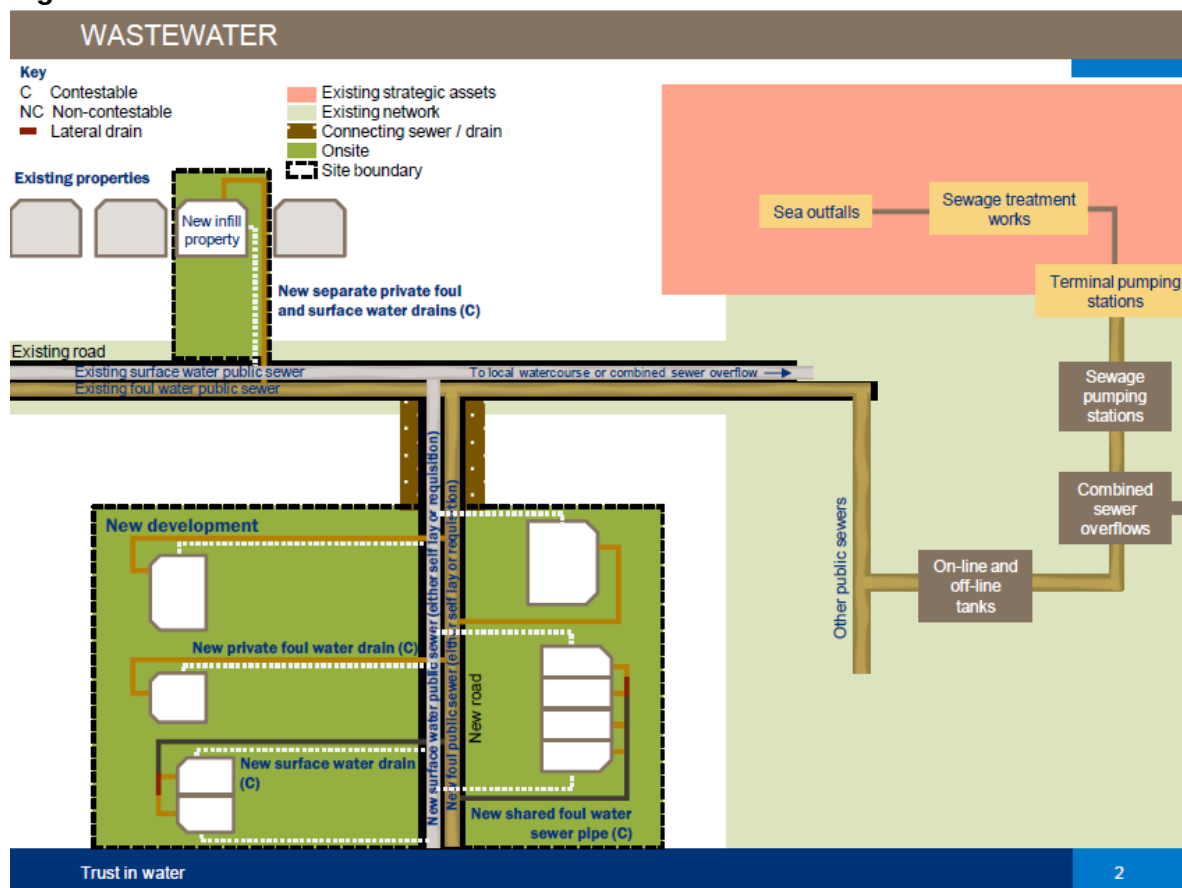


Figure 2-2 Public sewer network



2.1.6 Site-specific charge cap

Where we wish to specify a point of connection which is different from the nearest practical point, or we reach an agreement with the applicant on an alternative point of connection, the charge for site-specific work will be capped. The cap will be equal to the lowest of the site-specific charges that would otherwise result from connecting at the nearest practical point on the existing network where the connecting pipework is of a nominal bore internal diameter no larger than that of our existing network.

2.1.7 Exceptions to providing upfront requisition charges

For complex engineering projects where you requisition us to do the work (under sections 41 or 98 of the Water Industry Act 1991) the upfront charges set out in these charging arrangements may not be available to you. This is because the cost of this work can be affected by external factors outside our immediate knowledge or control. In a limited set of exceptional circumstances where the works are technically complex or require a bespoke solution, we will provide a quote to fairly recover the exceptional costs incurred.

The costs and complexities of such projects mean that it would be unreasonable to expect that this work is priced on the basis solely of upfront fixed costs. Instead of a fixed upfront charge for the entire works, we will provide a budget estimate comprising a mixture of:

- indicative or estimated charges for the elements of works affected by the exceptional circumstances; and

- fixed upfront charges for the elements of the work where there is sufficient certainty and it is reasonable for us to do so.

Exceptional circumstances can include, but are not limited to:

- Laying of water mains:
 - 300mm or greater in diameter, or
 - involving valve complexes.
- Laying of sewers:
 - 450mm or greater in diameter, or
 - greater than 6m in depth, or
 - involving pressurised or vacuum systems, or
 - involving treatment works.
- Where land entry requires negotiation outside our statutory powers (e.g. for crossing land owned by Network Rail or the Crown, rivers or motorways).
- Where the ground conditions are particularly difficult (e.g. excavation of rock).
- Where the work to be carried out is close to land with particular environmental, historical or archaeological characteristics.

There may be occasions where providing an indicative estimate is not possible or where the estimate will not meet the degree of confidence desired by you. In such cases, we will discuss with you the best way to proceed.

2.2 Income offset

Our philosophy has been to set charges on a cost reflective basis so that developers pay the full cost of any work undertaken by us. Historically, we have offset our requisition charges by taking account of future income received from new households connected to our network (referred to as the income offset).

This income offset arrangement was applied in accordance with legislative requirements and means that our other customers contribute towards the cost of new development where it includes requisitioned work.

Due to changes in legislation we have calculated the income offset to ensure the balance of charges is maintained, having due regard to our total forecast expenditure and the revenue we expect to receive from water and sewerage developments. The income offset is available for water requisitions and for the laying of sewers to connect the site to the nearest suitable existing sewer. The income offset and asset payment are available only to connect the site to the nearest sewer because the standard practice is for sewerage networks to be adopted rather than provided by means of a requisition notice.

From 2020/21, we expect the income offset to be applied to infrastructure charges instead of requisition charges as per Ofwat's charging rules.

The government has made clear that it believes the current balance between contributions to costs borne by developers and billpayers should be broadly maintained. Historically, the

contribution made by billpayers is circa 10% of the cost of new development, with developers paying the remaining 90% of costs.

Not providing an income offset would mean that developers would pay the full cost of new development with no contribution made by existing customers. We therefore provide an income offset to ensure that the balance of charges is broadly maintained:

- We expect to incur £12.2m of cost providing services to developers in 2019/20. To maintain the 90% balance of charges, we aim to recover £11.0m in revenue, a reduction of £1.1m.
- Of the £12.2m total cost, we expect to incur £7.0m of requisition cost in 2019/20. Reducing this by £1.1m will recover £5.9m of requisition revenue, equal to a 15% income offset.

We will therefore offer an income offset of 15% for 2019/20.

2.3 Transitional arrangements

The charging arrangements under the new legislation came into effect on 1 April 2018. To ensure a smooth transition between our previous charges and our new charges, the following applies:

1. Quotations for some Site Specific work provided under the old rules, and accepted before 1 April 2018 are to continue to apply until 1 April 2023 unless we agree to vary the quotation with you.
2. Where a legal agreement is already in place in relation to charges for Site Specific work carried out as part of an adoption, then the charges defined within that agreement remain valid for the life of the agreement unless we agree to vary those charges with you.
3. Charges relating to the old charging rules, will be adjusted by inflation if the quotation or legal agreement includes an appropriate provision for adjusting the charges.
4. Applications received between 1 February 2018 and 31 March 2018 for Site Specific work carried out after 1 April 2018, can be quoted on either the old rules, or the New Charging Rules. Developers and SLPs will be invited to choose their preferred method.
5. Developers or SLPs that received a quotation or draft adoption agreement under the old rules, but did not formally accept can re-apply after 1 February 2018.

We are happy to advise which charging arrangements would apply to your development. If you wish to change the terms of your agreement, we would be happy to consider this.

2.3.1 Transition Principles – Infrastructure Charges

1. After 1st April 2018, connections made to a main or sewer agreed as a requisition under s98 or s41 of the WIA1991 between 1991 and April 2018 will be charged using the old infrastructure charge in accordance with licence condition C. The charges recovered in accordance with licence condition C are capped at the method outlined in the condition.
2. After 1st April 2018, connections made to assets other than those above will be charged in accordance with the new Infrastructure Charge as defined in the Charges Scheme Rules.
3. Transition arrangements can be provided between the old infrastructure charges and the new infrastructure charges, providing the contributions from developers cover the cost of network reinforcement in accordance with the Charging Scheme Rules.

2.4 Further information

We have set out technical guidance in separate documents to help you understand what you need to do to connect your new property to our network. We are also happy to answer any questions you might have.

2.5 Frequently asked questions

Frequently asked questions	
How do I find out if Wessex Water supplies my area with water and sewerage?	This map shows the areas where we supply water, sewerage and both water and sewerage services. You can also find out if we supply your area with water by entering your postcode into our water quality checker .
Can I talk to someone about this document?	You can contact developer services on 01225 526 222 or 01225 526 333 between 8:30am and 4:30pm (Monday to Thursday) and 8:30am and 4pm (Friday).
When do I need to pay?	Please see the technical guidance documents available on our website.

3. Applying for a new connection

3.1 Connecting your property to our network

The type of connection you require could vary depending on the number of properties you are connecting and the distance between your development and our network. Technical guidance is set out in separate documents, which should be read in conjunction with these charging arrangements.

- For connections to our water network, you can choose to have your new service connections and water mains (if required) laid by us or an accredited self-lay provider. Some work will need to be undertaken by us, even if you choose a self-lay provider, so you will need to tell us about progress of work on the site.
- For connections to our sewerage network, you can choose to have your connections and sewers laid by us or by a suitable contractor. Should you use a contractor to lay sewerage pipes, once the pipes are laid to a satisfactory standard, you can ask us to adopt your pipes if they have been constructed to the appropriate standard (see technical guidance). Adoption means that ownership of the pipes transfers to us and we take over responsibility for maintenance.

Another alternative is for you to engage a new appointment or variation (NAV) to supply new householders on your development with water and sewerage services (under a 'new appointment or variation'). The NAV may lay the pipes and other infrastructure required and buy bulk services (water and/or sewerage) from us. The NAV remains responsible for the infrastructure within the area of the development.

3.2 How do you apply for a new connection?

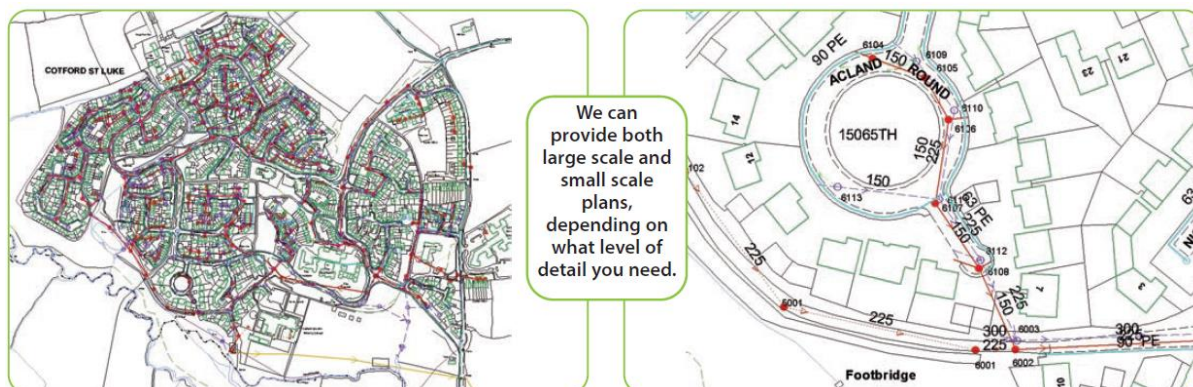
If you want to make a new connection to our network, you or your retailer will need to:

1. complete an application form
2. for water connections:
 - a) ensure you have obtained water regulations approval
 - b) advise us that your trench and service pipe are ready to be inspected
 - c) make payment
 - d) have works completed by Wessex Water or approved contractor
3. for sewerage connections
 - a) submit full drainage details
 - b) advise on the point and method of connection to our system
 - c) make payment
 - d) have works completed by Wessex Water or approved contractor.

3.3 How do you find out about our mains and sewers?

You may need to know where you can connect to our mains and sewers. Plans showing the approximate location of our water mains and sewers can be obtained from our asset enquiries team within developer services, or you can visit our offices and see these plans for free. Alternatively, plans showing the location of our sewers only can be viewed at local authority offices.

Figure 3-1 Example development plans



Reproduced from Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office. Crown copyright reserved, Licence No. 100019539

You may want us to undertake a viability study for you, to confirm that we can provide capacity in time for you to begin your development.

Table 3-1 Charges payable for asset plans and viability studies

Charge item	Charge unit	Charge
Extract of our network map (i.e. map of sewers or mains) – printed or sent electronically	Each	£15
Pre-development viability study - to confirm whether capacity can be provided by us in line with the proposed development programme	Each study	FREE

3.4 Abortive and additional visits

The following charges will apply where we:

- arrange to visit a site and the site is not ready or we are not able to carry out the work as arranged, or
- are required to reinspect a site or additional visits are deemed necessary.

Table 3-2 Abortive visit charges

Charge item	Charge unit	Charge
Any abortive site visit	per visit	£75 + any relevant costs
Additional site inspections	per visit	£75
If site is not ready, standing time for standard 3-man gang	per hour	£106
If site is not ready, abortive fees for standard 3-man gang	each visit	£1,910
If site is not ready, remobilisation charges for standard 3-man gang	as required	£955

4. New water supply connections (s45)

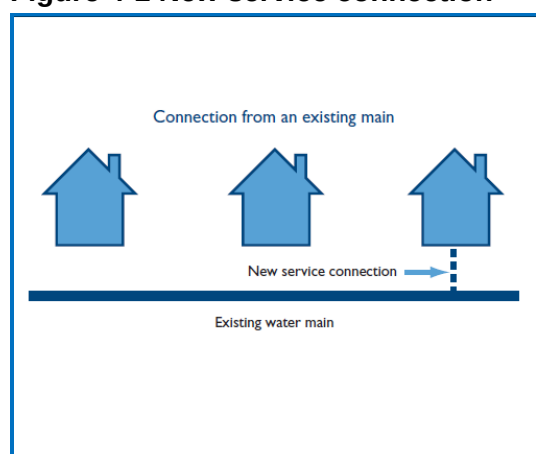
4.1 Do you need to connect to our supply network?

If you want mains water in your new development, you will need to connect to our water supply network. This means that you (or your contractor) will need to lay a private service pipe that can be connected, at your expense, to the nearest suitable water main.

A single house may require a small diameter water pipe laid from an existing main to the boundary of the property where a meter chamber and stop-tap (valve) is normally located. This is known as a service connection and this section of pipe is referred to as the communication pipe. A small diameter private supply pipe within the boundary of the property links the communication pipe with the internal plumbing of the house.

To ensure you have access to potable water, you will need to make a new water supply connection between your new development and our water network. Figure 4-1 will help you understand whether you need a new supply connection.

Figure 4-1 New service connection



4.2 Who can connect your property to our water supply network?

We can connect your new development to our network and undertake all the works required. To protect our network and our customers, some work, described as non-contestable, can only be undertaken by us, whereas contestable work can be undertaken by you, your contractor or an accredited entity/self-lay provider.

You might consider the option of appointing a NAV to serve your development: if you take up this option, the NAV would undertake the non-contestable and contestable works required, and may buy bulk services from us to serve your development.

4.3 Our charges – connecting to our water supply network

Each new (water) connection includes the installation of a meter box and 2m of excavation. Excavations of more than 2m incur additional charges as outlined in this document. Our charges reflect the costs we incur, including those we pass on directly from third parties, such as local councils' traffic management fees.

We recognise that you may need help understanding what works you require. We are happy to help and can arrange a free site visit so that we can assess what you need to make the connection to your new development.

4.3.1 What charges are payable?

Table 4-1 sets out the non-contestable administration charges for different elements of work required to make a connection to our mains.

Table 4-1 Service connection administration charges (non-contestable)
Section 45

Charge item	Charge unit	Charge
Administration fee where Wessex Water makes the connection (first connection)	per connection	£60
Administration fee where Wessex Water makes the connection (each subsequent connection)	per connection	£34
Administration fee where an accredited entity makes the connection (first connection)	per connection	£40
Administration fee where an accredited entity makes the connection (each subsequent connection)	per connection	£27
Trench inspections (where we inspect service pipes laid by others)	per trench	£18

Table 4-2 shows our charges if we undertake the contestable works you require. Contestable works are those that can be done by another provider so you might want to compare our charges with a firm quotation from another provider.

Table 4-2 Service connection charges (contestable)**Section 45**

Charge item	Charge unit	Charge
Point of connection enquiry (where the customer has not selected the point of connection)	per enquiry	FREE
Design of service connection (where contestable)	per application	FREE
Standard connection (≤ 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box + up to 2 linear metres of service pipe)	per connection	£708
Standard connection (> 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box + up to 2 linear metres of service pipe)	per connection	£877
Standard connection (≤ 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box) where developer provides all excavation and refill	per connection	£162
Standard connection (> 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box) where developer provides all excavation and refill	per connection	£331
Excavate, supply and lay additional pipe in verge/unmade ground and reinstate	per linear metre	£163
Excavate, supply and lay additional pipe in pavement/footway and reinstate	per linear metre	£304
Excavate, supply and lay additional pipe in road and reinstate	per linear metre	£325
Connection by means of four port manifold (four connections)	per manifold	£1,035
Connection by means of six port manifold (six connections)	per manifold	£1,114
Supply 15mm meter (non-AMR)	per meter	£36
Supply 15mm meter (AMR)	per meter	£65
Install and commission meter and/or meter box (only for meter types that necessitate a non-contestable delivery)	per meter	£35
Supply and fit domestic fire sprinkler connection (at the same time as other connections)	per connection	£50
Connection charge for building water	per plot	£82
Traffic management requiring traffic lights	per week or part thereof	£350
Highways Agency permit for traffic management requiring traffic lights	per application	£75
Road closure fixed charge	per closure	£2,340

4.4 Disconnection charges

If you decide you no longer require a water supply, you will need to apply for a temporary or permanent disconnection. Where a temporary disconnection is required, these charges are set out in our household and wholesale charges schemes.

No charges are made for a permanent disconnection from the mains water supply for domestic properties: we will make the disconnection at the point of connection to the main and not at the service end of the pipe to ensure the work is carried out correctly and we do not end up with any 'dead legs' (a length of pipe that water does not move through). We consider it appropriate that we cover this cost to reduce potential problems in our network.

Table 4-3 Disconnection charges (non-contestable)
Section 62

Charge item	Charge unit	Charge
Permanent disconnection for domestic properties	each	FREE

4.5 Frequently asked questions

Frequently asked questions	
Can I connect to an existing private service pipe?	No – a separate connection is required direct from our public water mains.
How can I find out what pipe size and flow rates I require?	You will need to seek the advice of a suitably qualified plumber/engineer.
Do you lay all the pipework to my property?	No – we are responsible for making a connection on to the public water main and laying a pipe from the main to the boundary of your property. You are responsible for laying the length of pipe from your property to the boundary.
Can I lay my pipe in the same trench as other utilities?	Yes – provided adequate clearance is provided between the water pipe and other utilities. Please see NJUG guidelines for requirements.
Where will my water meter be located?	Normally, the meter will be located at the boundary of your site or at the location of our water main.
What are water regulation fittings?	These are national requirements for the design, installation and maintenance of the internal water fittings (ie, heating system, sinks, WCs etc). Their purpose is to prevent inefficient use of water and to prevent contamination.

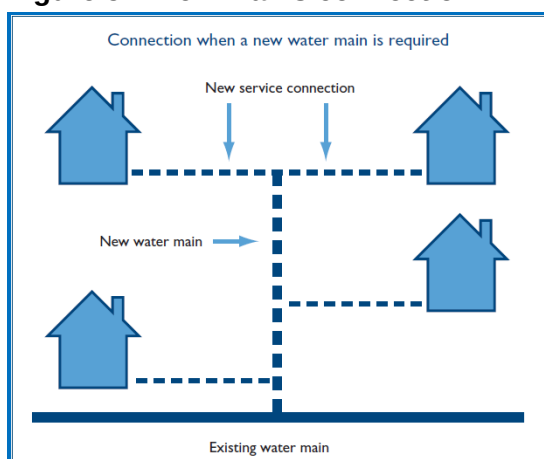
5. Water mains requisitions (s41), adoptions (s51) and diversions (s185)

5.1 Do you need to lay (or divert) a new mains?

While some new developments may make use of private water sources, most developers need to be sure that all new properties on their new development can be supplied with mains water. This may require a new water main to be built to ensure there is sufficient water, at sufficient pressure to meet the expectations of new households living in the new development.

While new developments require a service connection, not all new developments require a new mains. The diagram below is intended to help you understand whether you require a new water mains.

Figure 5-1 New mains connection



Section 4 sets out the charges for new service connections.

If an existing water main crosses a new development site, we would prefer the layout to be designed in such a way that it avoids the new mains, with agreed clearance. If this is not possible, the main can be diverted before any building works start.

5.2 Who can lay (or divert) new mains and make the connections?

New mains need to be laid (or diverted) in accordance with the National Joint Utilities Group (NJUG) guidelines on the positioning and colour coding of utilities apparatus to safeguard the health and safety of our staff and to ensure that our apparatus remains accessible for future maintenance. So long as these guidelines are followed, you or your accredited contractor (self-lay provider) can lay (or divert) the new mains, or you can ask us to do the work for you.

Mains are pressurised and carry large volumes of water so building near or over them is not permitted as it could lead to premature failure with potential risk to life and property or contamination risk.

5.2.1 Non-contestable work that only we can undertake

We retain responsibility for certain work for reasons of network security and public health. We will undertake this work and where appropriate, we will make a charge to recover our reasonable costs.

A developer can requisition us to lay mains pipes and other necessary works (which might include a service reservoir or pumping station), in accordance with the arrangements set out in the Water Industry Act 1991.

5.2.2 Contestable work that any provider can undertake

Developers and their accredited contractors/self-lay providers (SLPs) may install water mains and make service connections. Accreditation is required to satisfy us in advance of technical competence and experience of main-laying to safeguard public health and the integrity of our supply network.

More information about our accreditation process can be found in our technical guidance documents.

5.3 Our charges – laying (or diverting) a new mains

In this section, we set out our charges for laying new water mains for your development. For complex engineering projects where you requisition us to do the work (under section 41 of the Water Industry Act 1991), or if the works covers water mains of strategic importance, the upfront charges set out in these charging arrangements may not be available to you. Complex projects might include those where the project needs to cross railway tracks, motorways or rivers, or where the ground conditions are particularly difficult. Section 2.1.7 outlines these exceptions in further detail.

The costs and complexities of such projects mean that it would be unreasonable to expect that this work is priced on the basis of upfront fixed costs.

5.3.1 What charges are payable?

Tables 5-1 and 5-2 show our charges for non-contestable and contestable work.

Table 5-1 Providing a public main as a Section 41 requisition (non-contestable)
Section 41

Charge item	Charge unit	Charge
Mains administration fee	per application	£79
Mains design approval where designed by third party	per requisition	£174
Mains connection for connecting 49 properties or less that involves heightened risk to existing assets or could affect supplies to existing customers	per connection	£2,995
Mains connection for connecting 50 properties or more that involves heightened risk to existing assets or could affect supplies to existing customers (including the cost of supplying a meter for leakage monitoring requirements)	per connection	£6,370
Supply leakage monitoring meter (required where more than 500 linear metres of pipe is laid)	per meter	£1,128
Fit leakage monitoring meter and associated valves and hydrants (required where more than 500 linear metres of pipe is laid)	per meter	£3,202
Income offset	percentage	15%
Laying of additional mains where required to connect to nearest water main		Table 5-2

Table 5-2 Providing a public main as a Section 41 requisition (contestable)
Section 41

Charge item	Charge unit	Charge
Point of connection enquiry (where the customer has not selected the point of connection)	per enquiry	FREE
Mains design fee	per requisition	£373
Re-design fee where layout subsequently amended	per request	£187
Supply and lay pipe where developer digs and reinstates the trench	per linear metre	£75
Excavate, supply and lay additional pipe in verge/unmade ground and reinstate	per linear metre	£116
Excavate, supply and lay additional pipe in pavement/footway and reinstate	per linear metre	£203
Excavate, supply and lay additional pipe in road and reinstate	per linear metre	£288
Land entry agreements including compensation and legal fees	per linear metre	£8
Fit leakage monitoring meter and associated valves and hydrants (required where more than 500 linear metres of pipe is laid)	per meter	£3,202
Providing a booster where a developer desires guaranteed pressure greater than 0.7 bar at any point on the site	per booster	£75,413
Routine in-line mains connections (second connection of main in case of diversion)	per connection	£955
Pressure testing	per test	£541
Chlorination	per phase	£271
Sampling and undertaking standard analysis	per sample	£85
Traffic management requiring traffic lights	per week or part thereof	£350
Highways Agency permit for traffic management requiring traffic lights	per application	£75
Road closure fixed charge	per closure	£2,340
Income offset	percentage	15%

We realise you may need help understanding what works you require. We are happy to assist and can arrange a site visit so we can assess what you need to make the connection to your new development.

5.4 Income offset

To ensure that the balance of charges between developers and other customers is broadly maintained, we will apply an income offset for water requisitions and make asset payments for asset adoptions from SLPs.

For 2019-20, we will contribute 15% towards the cost of requisitioned works relating to our mains network. Section 2.2 provides more detail on how the income offset has been calculated.

5.5 New appointments and variations (NAVs)

Where your development is to be served by a NAV, the NAV will own the mains and will take on responsibility for the assets. NAVs connecting to our network will need to purchase bulk supply and discharge services as required to serve the development.

To ensure a level playing field for NAVs, we will provide a one-off payment to NAVs in our bulk supply agreements, equivalent to the 15% income offset provided to developers/SLPs.

5.6 Our charges – adoption of assets

Mains built by the developer/SLP will, subject to satisfactory design and installation, become part of our network and we will take over responsibility for those assets. Service pipes will not be adopted by us apart from any length up to and including the meter. This will usually be the pipework which falls within a street, known as the communication pipe.

5.6.1 Fees and deposit payable for vesting of mains assets

Where we adopt mains, we charge fees for service as shown in Tables 5-3 and 5-4.

Table 5-3 Adopting self-laid mains (non-contestable)

Section 51

Charge item	Charge unit	Charge
Pre-commencement fee	per application	£41
Re-inspection fee	per site visit	£81
Legal agreement fee (for new agreements or reassessments of previous assessments)	per adoption	£460
Service connection administration fees (where an SLP is providing these)	per connection	Table 4-1
Excavate, supply and lay pipe (and reinstate where required)		Table 5-1

Table 5-4 Adopting self-laid mains (contestable)

Section 51

Charge item	Charge unit	Charge
Mains design work	per design request	£373
Excavate, supply and lay pipe (and reinstate where required)		Table 5-2

5.6.2 Ownership, operation and maintenance of the new mains

Ownership, operation and maintenance of the water mains rest with the developer until a vesting certificate is issued by us. Ownership, operation and maintenance of the service connection and communication pipe rests with us from the time of connection to the new main. The developer/SLP remains responsible for any defective materials and workmanship for an agreed Defects Liability Period (DLP).

5.7 Asset payments

We realise that our approach to maintaining the balance of payments by retaining the income offset means that only developers requisitioning work benefit from this approach, but the rules do not allow us to offset these monies against all new development.

We will continue to make asset payments to developers/SLPs when adopting assets. The asset payment will be 15% of our estimated cost of the works. Please refer to Table 5-2.

5.8 Our charges – diversion of existing mains

If existing water mains cross a new development site and the layout cannot be designed to avoid them, they must be diverted if technically possible. You can propose a scheme and ask us to consider whether a diversion is possible. Asset payments are not available for diversions.

5.8.1 What charges are payable?

For diversion of water mains up to but not including 300mm diameter, any accredited provider can undertake the diversion work for you since this work is contestable, but you will need to pay our administrative charges.

For complex engineering projects where you requisition us to do the work or if the work covers water mains of strategic importance, the upfront charges set out in these charging arrangements may not be available to you. Section 2.1.7 outlines this in further detail.

The appraisal fee covers our costs of determining how best to divert the mains, which may require us to undertake a detailed assessment of works required. If the work is not undertaken but we have incurred costs, we will refund part of the fee. Table 5-5 sets out our charges.

Table 5-5 Diverting water mains (contestable and non-contestable)
Section 185

Charge item	Charge unit	Charge
Administration fee	per application	£132
Design fee (where a mains is to be diverted) (refundable in part)	per design	£2,000
Technical assessment fee (where the design for the diversion is provided by the developer)	per assessment	£160
Inspection fee (where the diversion work is provided by the developer)	per inspection	£203
Disconnection/reconnection of main (shut off)	per connection	£955
Disconnection/reconnection of main (line stop)	per connection	£4,304
Decommissioning redundant pipe	per linear metre	£27
Reinstatement of ground for washout/sluiice valve installation	each	£203
Excavate, supply and lay pipe (and reinstate where required)		Tables 5-1 & 5-2

6. New sewer connections (s106/s107)

6.1 Do you need to connect to our sewer network?

To ensure you can discharge your sewage into our sewer network, you will need to make a new sewerage connection between your new development and our sewerage network. If you require a new connection direct to a public sewer then you will need to apply to us for formal consent. You do not need to apply for connections to private soakaways, cess pits, septic tanks, treatment works or similar.

6.1.1 What connection do you need to make?

To connect to a public sewer you will either require a junction/saddle connection or you will make your connection via an existing or newly built manhole. Up to three dwellings can be connected to a Y or saddle junction; more than three dwellings must be connected via a new or existing manhole. More information can be found in our technical guidance documents.

6.2 Who can connect your property to our sewer network?

Depending on what type of connection you need to make, the work required may be contestable or non-contestable. Section 6.1.1 provides more detail on what type of connection is required in your circumstances.

6.2.1 Non-contestable works (connection via a Y junction or saddle)

Connections made to our sewer network by means of a Y junction or saddle connection will generally be non-contestable under section 107.

6.2.2 Contestable works (connection via a manhole)

Connections made to our network through an existing or new manhole are contestable work, which may be carried out by a suitably qualified contractor holding a Wessex Water permit card to work on sewers. Our technical guidance documents set out more information about accreditation.

6.3 Our charges – connecting to our sewer network

Table 6-1 sets out our charges. We do not undertake work on building sites to lay pipes for sewerage connections.

Table 6-1 Sewer connection charges (contestable and non-contestable)
Section 106 & 107

Charge item	Charge unit	Charge
Administration & technical approval fee	per application	£84
Connection by means of a Y-junction or saddle (including materials)	per connection	£363
Inspection of a connection via a new manhole	per application	£122
Inspection of a connection via an existing manhole	per application	£61

The inspection fee covers two visits for new manholes and one for existing manholes. All works must be carried out in accordance with the current edition of Sewers for Adoption.

6.4 Frequently asked questions

Frequently asked questions	
What if I need to make a pumped connection?	Pumped systems are more complex than gravity systems and can pose a risk to the public sewerage system, particularly with regards to septic waste. Where a private rising main will discharge into a public sewer then a 'break' manhole must be constructed at the end of the rising main, to allow the flow to gravitate to the public sewer.
What is a lateral drain?	A lateral drain is a pipe that runs from the property boundary to connect to the public sewerage system. It is generally laid in third party land where land entry notice may need to be served, or in the highway. If necessary, Wessex Water can serve notice on third party landowners to allow a connection to be made. You can requisition a lateral drain from Wessex Water to serve a domestic property. This is a separate process to a connection application: more information is to be found in section 7.
Can I make a connection to a private drain?	Indirect connections may be made to suitable existing private drains, with permission being obtained from the owner of that drain. Technical approval and the inspection of indirect connections will be carried out by Building Control, not by Wessex Water. They may only wish to attend or formally approve the work if it forms part of a new build or significant extension. You can employ any groundworker to complete the work with the agreement of Building Control or your private inspector. Please be aware that any foul waste/rainwater that you connect will ultimately discharge to a public sewer. In certain cases, particularly with larger developments or where a rainwater connection is being proposed, you need to obtain our approval for the resultant flows.

7. Sewer requisitions (s98), adoptions (s102/s104) and diversions (s185)

7.1 Do you need to lay (or divert) a new public sewer?

If your proposed new development is not near an existing public sewer and/or you need to cross third party land to connect to our sewers, you can require ('requisition') us to lay a new public sewer from the nearest public sewer to the edge of the new development.

7.1.1 When can you requisition a new sewer?

Sewers are normally only requisitioned for domestic purposes, either to serve new development or as a first time service to existing properties. The requisitioned sewer will be constructed by Wessex Water. It is termed as a public sewer if it serves two or more properties, or a public lateral drain if it serves only one property.

Costs incurred in transferring or acquiring the freehold of land required for pumping stations or other sewerage assets will be included in the cost of the requisition.

Although legislation refers to requisitioning off-site sewers for domestic purposes, any commercial development containing an element of domestic flow will be considered. Non-domestic flows may need trade effluent consent.

7.1.2 Who can requisition a new sewer?

Public sewers and lateral drains can be requisitioned by the owner or occupier of a property, or a developer, or the relevant local authority. You must have been granted full planning permission for a proposed development before sewer construction can start. If outline planning has been agreed, then appraisal can start while full planning is finalised.

To requisition a surface water sewer, you must have agreed formal discharge consent from the landowner of the watercourse where the outfall is to be located. Land ownership is the property alongside the watercourse. Without a discharge consent agreement in place, the sewer cannot be connected.

7.2 Who can lay (or divert) a new public sewer?

In some cases we may be prepared to enter into a '£1 contract'; example reasons may be a complicated demolition and construction programme on site, timescale or resources. The use of a £1 contract is at our discretion. In these cases, we agree to the requisitioner designing and constructing the sewer on our behalf. We will pay the requisitioner £1 as a nominal contract sum. We will serve statutory land entry notice but all scheme costs including compensation will be payable by the requisitioner.

During £1 contracts, the requisitioner takes on the role of principal contractor. Construction must be carried out by an approved sub-contractor and your health and safety plan must comply with our requirements. We will inspect and test the works and, on completion, you will arrange a CCTV survey and production of as-constructed plans and levels.

7.2.1 Non-contestable works

On some occasions, when a developer applies for a connection to our water supply or sewerage networks, or requisitions a new main or sewer, a check on the adequacy of our existing systems will need to be made. This is known as hydraulic or network modelling. A charge may be made for carrying out this investigation which, depending on the scale and complexity, may take some time to complete.

7.2.2 Contestable works

Work can be done by a suitable contractor where a requisition is required. Our technical guidance documents set out the circumstances under which we will offer a £1 scheme.

7.3 Our charges – laying (or diverting) a new public sewer

For complex engineering projects where you requisition us to do the work (under section 98 of the Water Industry Act 1991) the upfront charges set out in these charging arrangements may not be available to you. The costs and complexities of such projects mean that it would be unreasonable to expect that this work is priced on the basis of upfront fixed costs. Section 2.1.7 outlines this in further detail.

Tables 7-1 and 7-2 show our charges for non-contestable and contestable work.

Table 7-1 Providing a public sewer or lateral drain (non-contestable)
Section 98

Charge item	Charge unit	Charge
Administration fee	per application	£125
Point of connection enquiry (where the customer has not selected the point of connection)	per requisition	FREE
Design fee	per design	£3,000
Income offset	percentage	15%

Table 7-2 Requisition charges for new public sewers (contestable)**Section 98**

Charge item	Charge unit	Qty
Excavate, supply and lay ≤150mm diameter pipe at ≤1.5m depth (and reinstate where required)		
In field	per linear metre	£523
In crop field (or where compensation is payable)		£540
In garden		£626
In pavement/footway		£723
In highway		£968
Excavate, supply and lay >150mm diameter pipe at ≤1.5m depth (and reinstate where required)		
In field	per linear metre	£709
In crop field (or where compensation is payable)		£725
In garden		£812
In pavement/footway		£908
In highway		£1,154
Sewer laying charge multiplier where depth is >1.5m and ≤4m	multiplication factor	1.2
Sewer laying charge multiplier where depth is >4m and ≤6m	multiplication factor	1.5
Excavate, supply and lay rising main at ≤1.5m depth (and reinstate where required)		
In field	per linear metre	£328
In crop field (or where compensation is payable)		£345
In garden		£431
In pavement/footway		£421
In highway		£495
Installation of Sustainable Drainage Scheme (SuDS)	per scheme	Price on Application
Land entry agreements including compensation and legal fees	per linear metre	£8
Supply and install type 1 sewage pumping station	per sewage pumping station	£57,600
Supply and install type 2 sewage pumping station		£85,000
Supply and install type 3 sewage pumping station		£186,800
Traffic management requiring traffic lights	per week or part thereof	£350
Highways Agency permit for traffic management requiring traffic lights	per application	£75
Road closure fixed charge	per closure	£2,340
Income offset	percentage	15%
Decommissioning redundant pipe (if diverting a sewer under a section 185 diversion)	per linear metre	£27

7.4 Income offset

To ensure that the balance of charges between developers and other customers is broadly maintained we will, therefore, apply an income offset to connect the site to the nearest suitable existing sewer and make equivalent asset payments for asset adoptions from SLPs. The 15% income offset and asset payment is available only to connect the site to the nearest sewer because the standard practice is for sewerage networks to be adopted rather than provided by means of a requisition notice. Section 2.2 provides more detail on how the income offset has been calculated.

7.5 New appointments and variations (NAVs)

Where your development is to be served by a NAV, the NAV will own the sewers and lateral drains and take on responsibility for the assets. NAVs connecting to our network will need to purchase bulk supply and discharge services as required to serve the development.

To ensure a level playing field for NAVs, we will provide a one-off payment to NAVs in our bulk discharge agreements, equivalent to the 15% income offset offered to developers/SLPs for the laying of sewers to connect the site to the nearest suitable existing sewer.

7.6 Our charges – adoption of assets

We levy administrative charges where we adopt assets, whether they are existing or new.

7.6.1 Existing private sewage treatment works and/or private sewers (s102)

We can adopt private sewerage systems under section 102 arrangements. The adoption process requires the party applying for adoption to carry out an as-constructed survey and a structural survey of the assets they want us to adopt. We will inspect the system and advise if any repairs are required. Once we agree that the assets meet an acceptable standard, we will serve formal notice on the current asset owners and interested parties. After two months, if no objections have been raised, we will vest the assets and confirm the system has been adopted as public.

Where we propose to adopt an existing private treatment plant under this process and a sampling history cannot be provided as part of the submission, we will be required to undertake sampling for a minimum period of 6 months to ensure compliance with discharge consents prior to adoption. Please see technical guidance for more information. With regard to sewer adoption, this means the ownership and responsibility of the asset is transferred to us. You must pay all inspection fees and the cost of any remedial works required to ensure the sewerage system is to an acceptable standard before the sewers are adopted.

Table 7-3 shows our charges for non-contestable work.

Table 7-3 Adopting existing sewerage assets (non-contestable)
Section 102

Charge item	Charge unit	Charge
Administration fee	per application	£103
Technical approval	per application	£309
Inspection	per application	£305
Installation of standard telemetry including: configuration of telemetry system, provision of a telemetry outstation, LPU and secondary BT socket, wiring from outstation to marshalling box, testing all signals from source, making site live to our control room and issue all relevant certification	per installation	£2,400
Installation of telemetry as above but with the addition of telemetry for a chemical dosing unit, requiring a larger outstation, additional configuration and testing	per installation	£3,000
Configuration, testing and commissioning of telemetry system where approved contractor has provided the telemetry outstation and all necessary connections	per installation	£1,600
Excavate supply and lay pipe (and reinstate where required)		Table 7-1

7.6.2 New sewers and pumping stations (s104)

An adopted sewer is operated and maintained as a public asset by us. A private sewer is owned and maintained by the private owner or the local authority at their expense. Sewers constructed as part of a new development can be offered for adoption so that they are looked after by us in the future. Sewers and pumping stations need to be designed and built according to specifications in the latest version of WRc Sewers for Adoption. Adoption compliance fees cover the cost for us to confirm the asset is built to the requisite standard.

New pipes that only serve a single property and are entirely within that property's boundary will not be adopted and will remain the responsibility of the property owner. Adoption of new sewerage systems under a section 104 agreement is a separate process to a connection application. New manhole chambers built on an existing public sewer will automatically become part of the public system on completion.

You can ask us to consider adopting a private sewage treatment works where it serves 10 or more properties and includes at least one length of sewer upstream. Table 7-4 shows our charges for contestable work.

Table 7-4 Adopting new sewerage assets (contestable)
Section 104

Charge item	Charge unit	Charge
Administration fee	per application	£173
Technical approval	per application	£511
Adoption compliance fee	percentage of our quoted construction cost	2%
Legal agreement fee (for new agreements or reassessments of previous assessments)	per agreement or per adoption	£460
Deed of grant fee	per agreement	£769
Land transfer fee	per agreement	£967
Security or deposit (if appropriate) (refundable in part)	percentage of our quoted construction cost	10% or minimum of £5,000
Installation of standard telemetry including: configuration of telemetry system, provision of a telemetry outstation, LPU and secondary BT socket, wiring from outstation to marshalling box, testing all signals from source, making site live to our control room and issue all relevant certification	per installation	£2,400
Installation of telemetry as above but with the addition of telemetry for a chemical dosing unit, requiring a larger outstation, additional configuration and testing	per installation	£3,000
Configuration, testing and commissioning of telemetry system where approved contractor has provided the telemetry outstation and all necessary connections	per installation	£1,600
Sewer connections		Table 6-1
Excavate supply and lay pipe (and reinstate where required)		Table 7-2

7.6.3 Sustainable Drainage Systems (SuDS)

We support SuDS which provide benefits of reduction in flood risk, improvement in water quality, biodiversity and amenity. Sewers for Adoption 8th Edition (SfA8), published by Water UK, clarifies in Part C the components of Sustainable Drainage Systems which can be adopted by Sewerage Undertakers. We will consider adoption of a wider variety of SuDS components including swales, ponds, rills and soakaways, if built to adoptable standards.

We do not adopt balancing ponds, culverted watercourses or rhynes, only the headwall(s) into them.

7.7 Security or deposit payments

Where we adopt new assets under section 104, we will require a security or deposit.

- The security may be in the form of a surety with an appropriate body (e.g. NHBC), the determination of which is a matter for the developer and the appropriate body. On adoption of the assets, we will confirm that the surety can be released.
- The deposit will be based on our quoted construction cost, or a minimum of £5,000. We will calculate interest on the deposit from the date that the agreement between us and the developer is signed, until the date that the assets are adopted. We will return the deposit and interest payable to the developer once the

assets have been adopted. The calculation of interest will be consistent with Ofwat's guidance on this.

7.8 Asset payments

We will make asset payments where we adopt new sewers. The asset payment will be 15% of the cost of the laying of sewers to connect the site to the nearest suitable existing sewer. Please refer to Table 7-2.

7.9 Our charges – diversion of existing sewers

If there are sewers crossing a new development site and the layout cannot be designed to avoid them, they must be diverted if technically possible. You can propose a scheme and ask us to consider whether a diversion is possible. Asset payments are not available for diversions.

We define three types of sewer diversion, shown in the table below.

Type of diversion	Works required	Is this work contestable?
Major diversion of critical sewer or rising main	If the site is large, or the diversion is complex, off site or on a critical sewer, Wessex Water will carry out the work. We will provide an estimated offer that includes appraisal, design and construction. You will need to deposit the estimated sum with us, and construction will be carried out on a rechargeable basis.	No
Major diversion	Depending on the importance of the sewer and whether other site works are involved, you may be allowed to carry out diversion works yourself using a suitable contractor. We will charge a technical assessment, inspection and legal fee, and you will provide a returnable deposit as surety.	Yes
Minor diversion	If the sewer is relatively shallow, of small diameter and only serving a few houses, we may allow you to divert the sewer yourself using your own contractor. We will advise if the sewer is minor and what standard of construction is required. This is only acceptable for low risk gravity sewers 150mm diameter or smaller, no more than 1.2m deep, and serving 25 properties or less.	Yes

7.9.1 What charges are payable?

For major and minor diversions, any suitable contractor can undertake the diversion work for you, since this work is contestable, but you will need to pay our administrative charges and a returnable cash deposit/bond (as long as the work is completed to the appropriate standard).

Table 7-5 shows our non-contestable charges. Our charges for sewer buildovers are included in our technical guidance documents.

Table 7-5 Diverting a public sewer asset – major or minor diversion (non-contestable)
Section 185

Charge item	Charge unit	Charge
Administration fee (includes letter of agreement)	per application	£93
Technical assessment fee (where the design for the diversion is provided by the developer)	per assessment	£314
Appraisal fee (where we divert a critical or major sewer) (refundable in part)	per appraisal	£2,000
Inspection fee (where the diversion work is provided by the developer)	per site	£305
Security or deposit (if appropriate)	percentage of our quoted construction cost	10% or minimum of £500 for minor diversion, or minimum of £5,000 for major diversion
Excavate supply and lay pipe (and reinstate where required) or decommission redundant pipe		Table 7-2

8. Water and sewerage infrastructure charges (s146)

8.1 What is an infrastructure charge?

Infrastructure charges are used to cover the cost of improving our existing network to cope with providing extra capacity for new developments. An infrastructure charge is payable by anyone who wishes to build or develop a property.

8.2 Do you need to pay an infrastructure charge?

You will be required to pay the infrastructure charge if you:

- build new premises, including houses, flats, commercial premises, institutions, permanent caravans that are subsequently connected to our network,
- convert existing premises such as a house into flats and thereby increase the number of connections required, or
- connect existing premises to our network for the first time.

The charge is payable for each new connection made. Where you already have a connection in place, we take that into account in assessing the charge payable.

8.3 What work is required?

Demand from a new development can affect the capacity of the existing infrastructure to an extent where reinforcement of the network (e.g. by construction of new mains, tanks, sewers, service reservoirs, pumping stations) is required to maintain service levels to customers. The infrastructure charge will be used to fund network reinforcement to ensure that new developments are able to connect to our water and sewerage network.

We are responsible for undertaking the work required to increase the capacity of our network. Network reinforcement work is non-contestable.

8.4 Our charges – network reinforcement

Our water and sewerage networks are complex and we have invested heavily in network reinforcement to anticipate new developments. We liaise with local authorities and developers to understand their requirements and to ensure that our network has sufficient capacity to allow new developments. Our infrastructure charges will recover the cost of network reinforcement required for new development.

Our infrastructure charges for 2019/20 are based on the forecast cost of upstream and downstream network reinforcement in our region. We have set infrastructure charges for 2019/20 consistent with the forecasts of expenditure in our PR19 business plan.

For the purpose of this year's charges, we have calculated the rolling future 5-year average forecast cost of upstream network reinforcement to 2040 to inform the long-term future profile of infrastructure charges. We have also forecast the long-term property growth in our region.

Upstream and downstream infrastructure investment to provide capacity is, by its nature, very long-term and can be exceedingly lumpy. When setting charges we aim to ensure Defra's overarching objectives are met.

- We aim to set transparent and customer focused infrastructure charges that recover the long-term cost of network reinforcement.
- We aim to set stable and predictable infrastructure charges that avoid significant short term-peaks from lumpy network investments.
- We aim to set fair and affordable infrastructure charges that recover the costs from those that benefit from the service over the long-term.

With the above principles in mind, we have set infrastructure charges for 2019/20 on the following bases.

8.4.1 Water supply infrastructure charge

We have calculated the long-term average water supply infrastructure charge from forecast network reinforcement and property growth forecasts. A key aim of the charging arrangements is stability and predictability. We are focused on avoiding significant changes to charges for customers from year to year, and as such we aim to move to the long-term average charge over a number of years.

- We expect to spend £15.8m on water supply network reinforcement up to 2040, with a total number of new connections of 109,740 over the same period.
- This results in a long-term average charge of £144 per property.

We have also calculated the short-term average forecast 5-year water supply network reinforcement cost, which is £0.8m per annum. Our business plan utilises the most recent local authority forecasts of property growth which, in the near future are significantly greater than historical averages. This drives down the water supply infrastructure charge in the short run to ~£125. As property growth returns to historical averages in the medium term the infrastructure charge returns to the long term average.

Given the uncertainty over future property growth, we are concerned that if we reduced the water supply infrastructure charge in the short term and if Local Authorities' growth forecasts are not realised, we would then be required to increase infrastructure charges in the short term, creating significant changes in the infrastructure charge.

We will therefore set an infrastructure charge of £147 (a reduction of 5% from the current level of £155) for 2019/20 with a view to reducing to the long-term average in future years, assuming current forecasts of property growth are accurate.

8.4.2 Sewerage infrastructure charge

We have also fully assessed the long-term sewerage network reinforcement to inform the infrastructure charge for 2019/20 and onwards.

- We expect to spend £42.8m on sewerage network reinforcement up to 2040, with a total number of new connections of 270,360 over the same period.
- This results in a long-term average charge of £192 per property, when accounting for the expected take-up of the discounts available for reductions to surface water discharge.

Our business plan includes exceptional network reinforcement expenditure to reinforce the capacity of sewers in the North Bristol area (the “Trym Tunnel” investment) totalling £10m, incurred over 2020-2023. This significantly increases the cost of network reinforcement charges for 2019/20:

- Including the Trym Tunnel investment in the 5-year average forecast results in an average 5-year network reinforcement cost of £3.7m in 2019/20. This gives a infrastructure charge of £319 (an increase of 68% from the current level).
- Excluding the Trym Tunnel investment gives an average 5-year network reinforcement cost of £1.7m in 2019/20, resulting in an infrastructure charge of £145 (a decrease of 24% from the current level).

The Trym Tunnel is an exceptional investment that will benefit capacity in the North Bristol region for the long term. In the interests of fairness and affordability, these costs could be recovered over a longer time period, from a larger number of customers who will benefit from the improved capacity in our network. Additionally, we are focused on avoiding short-term bill changes for customers, which favours the setting of a longer-term infrastructure charge that recovers network reinforcement cost over a longer time period, favouring stability and predictability.

Recovering the costs of the Trym Tunnel over a longer time period therefore results in a stable long-term cost of network reinforcement and subsequently a stable infrastructure charge. Smoothing the exceptional expenditure over 15 years gives a 5-year network reinforcement cost of £2.2m, informing a sewerage infrastructure charge of £244 for 2019/20. This then reduces to the long-term average from 2025 onwards.

However, given the need for stability in our charges we propose to continue to set the charge for 2019/20 at the long-term average of £190.

8.5 What charges are payable?

Tables 8-1 and 8-2 show our infrastructure charges. Where you are building on a site that has previously been connected to our network, an infrastructure credit may be available. Where you are building non-standard properties, you will need to calculate the relevant multiplier. Sections 8.5.2 and 8.5.3 contain more information about these.

Table 8-1 Water infrastructure charges
Section 146

Charge item	Charge unit	Charge
Infrastructure credits to account for relevant use within the last five years	Number of credits	-£147
Standard infrastructure charges due for the development	Charge per dwelling	£147
Relevant multiplier charges due for the development	Charge based on fittings	RM x £147

Table 8-2 includes a discount for developers who commit to reducing the amount of surface water discharged into our sewers:

- 50% discount for the inclusion of an agreed sustainable drainage scheme (SuDS) that attenuates the flow of surface water into our existing or proposed network.
- 90% discount for schemes that commit to zero surface water discharge into our existing or proposed network.

Table 8-2 Sewerage infrastructure charges
Section 146

Charge item	Charge unit	Charge
Infrastructure credits to account for relevant use within the last five years	Number of credits	-£190
Standard infrastructure charge due for development	Charge per dwelling	£190
Relevant multiplier due for the development	Charge based on fittings (calculated by reference to table 8-3)	RM x £190
Environmental discount (if applicable) for the inclusion of an agreed SuDS scheme that attenuates the flow of surface water into our existing or proposed network	Charge per dwelling	£95
Environmental discount (if applicable) for schemes that commit to zero surface water discharge into our network	Charge per dwelling	£19

8.5.1 Infrastructure charge credit

Infrastructure charge credits will be applied where the site has been connected to our network within the previous five years, to reflect the reduction in the need for network reinforcement.

The credit is applied by deducting the number of former dwellings connected on the site or by taking the metered consumption or discharge from the site and equating that to an average dwelling within our area to arrive at an equivalent number of dwellings. In the absence of metered information, other reasonable evidence should be used to estimate the prior demand on the network from the site.

8.5.2 The relevant multiplier

In certain circumstances where water is used for purposes other than flats or houses, as in commercial premises, schools, hotels etc, the infrastructure charge is calculated using the number and type of water fittings installed in the premises – known as the relevant multiplier (RM). The RM is calculated by adding up the loading units for all water fittings in the property and dividing by 24 (the total number of loading units for a standard dwelling). The RM is multiplied by the current water and sewerage infrastructure charges to arrive at the total charges for the property.

8.5.3 Loading units for calculating the RM

Table 8-3 sets out the loading units for non-standard properties.

Table 8-3 Relevant multiplier loading units for non-standard properties

Water fitting/appliance	Loading units
WC flushing cistern	2
Urinal	3
Wash basin in a house	1.5
Wash basin elsewhere	3
Bath (tap nominal size 3/4"/20mm)	10
Bath tap nominal size > 3/4"/20mm)	22
Shower	3
Sink (tap nominal size 1/2"/15mm)	3
Sink (tap nominal size > 1/2"/15mm)	5
Spray tap	0.5
Bidet	1.5
Domestic appliance	3
Communal or commercial appliance	10
Any other waste fitting or outlet	3
Indoor swimming pool	24

Notes to the table:

1. Any fitting includes any plumbing, outlet, dedicated space or planning or other provision for that fitting.
2. "House" means any building or part of a building which is, or will be, occupied as a private dwelling house. The expression includes a flat.
3. "Bath" includes a whirlpool bath or a jacuzzi.
4. "Domestic appliance" means an appliance (including a dishwasher, a washing machine and a waste disposal unit) in a house and "communal or commercial appliance" means an appliance (including a dishwasher, a washing machine and a waste disposal unit) elsewhere than in a house (including in communal facilities).
5. A minimum of six loading units shall be included for each house for domestic appliances (whether or not the house has any such appliances). This does not apply where neither a washing machine nor a dishwasher can be provided (and there is no plumbing, outlet, dedicated space or planning or other provision for either appliance) in the house.
6. Where premises have only a sewerage connection and there are no water fittings, the relevant multiplier will be one.

8.5.4 Using the relevant multiplier on a new development

Suppose that a new 20-bedroom hotel is built. Table 8-4 sets out its requirements and these are used to calculate the RM.

Table 8-4 Example relevant multiplier calculation

Water fitting/appliance	No. required	Loading units	Total proposed no l/u
WC flushing cistern	30	2	60
Urinal	3	3	9
Wash basin in a house	25	1.5	37.5
Wash basin elsewhere	3	3	9
Bath (tap nominal size 3/4"/20mm)	5	10	50
Bath tap nominal size > 3/4"/20mm)		22	0
Shower	20	3	60
Sink (tap nominal size 1/2"/15mm)	3	3	9
Sink (tap nominal size > 1/2"/15mm)		5	0
Spray tap		0.5	0
Bidet		1.5	0
Domestic appliance		3	0
Communal or commercial appliance		10	0
Any other waste fitting or outlet		3	0
Indoor swimming pool		24	0
Total			234.5
Total number of loading units divided by 24			9.77

The final row of this table will be multiplied by the relevant infrastructure charge.

8.6 Upsizing new assets for future use

Where it is reasonable to do so, we may propose that assets provided by developers or SLPs should be upsized to provide capacity for later growth. Where assets are upsized as a result of our request, we will contribute towards the reasonable cost. The contribution will be based on assumed flow rates for the development relative to that of the other flows allowed for in the design.

Upsizing new assets to allow for future use is considered to be network reinforcement and we will take account of this type of investment when setting our infrastructure charges.

8.7 Network enhancement

Network enhancement refers to the process of dealing with pre-existing shortfalls in capacity that are not the consequence of new development. The cost of addressing pre-existing shortfalls in capacity, greater demand from existing properties, enhancing the network's performance, or improving network flexibility may not be recovered through the infrastructure charge. Such enhancement is funded by income raised from water and sewerage bills.

Where we provide or require assets that are designed to include an element of network enhancement, we will ensure that charges are apportioned such that we fund the network enhancement element. This apportionment will be based on assumed flow rates for the development in relation to that of the other flows allowed for in the design.

8.8 Interaction with the planning system

Our infrastructure charges will ensure that the cost of providing network reinforcement is met by developers, and we will plan and execute works required, which should mean that local planning authorities will no longer require assurance that we can serve particular developments, providing the development does not progress at a rate which exceeds the time we need to provide capacity. In some circumstances, we may need to agree a phasing condition from the planning authority to protect customers and/or the environment.

We have agreed to comply with guidelines developed by Water UK.

8.9 Frequently asked questions

Frequently asked questions	
What are infrastructure charges?	Infrastructure charges are one-off payments used to cover the cost of improving our networks (water and sewerage) to cope with providing extra capacity for new developments.

9. Our contact details

Email: developer.services@wessexwater.co.uk

Telephone: 01225 526 222 or 01225 526 333
Monday to Thursday, 8.30am to 4.30pm, Friday 8.30am to 4pm
To protect our customers and staff calls may be recorded

Write to: Developer Services
Wessex Water
Claverton Down
Bath, BA2 7WW

10. Our charges in full

Should you require help understanding your needs, please do not hesitate to contact us.

Table 3-1 Charges payable for asset plans and viability studies

Charge item	Charge unit	Charge
Extract of our network map (i.e. map of sewers or mains) – printed or sent electronically	Each	£15
Pre-development viability study - to confirm whether capacity can be provided by us in line with the proposed development programme	Each study	FREE

Table 3-2 Abortive visit charges

Charge item	Charge unit	Charge
Any abortive site visit	per visit	£75 + any relevant costs
Additional site inspections	per visit	£75
If site is not ready, standing time for standard 3-man gang	per hour	£106
If site is not ready, abortive fees for standard 3-man gang	each visit	£1,910
If site is not ready, remobilisation charges for standard 3-man gang	as required	£955

Table 4-1 Service connection administration charges (non-contestable)

Section 45

Charge item	Charge unit	Charge
Administration fee where Wessex Water makes the connection (first connection)	per connection	£60
Administration fee where Wessex Water makes the connection (each subsequent connection)	per connection	£34
Administration fee where an accredited entity makes the connection (first connection)	per connection	£40
Administration fee where an accredited entity makes the connection (each subsequent connection)	per connection	£27
Trench inspections (where we inspect service pipes laid by others)	per trench	£18

Table 4-2 Service connection charges (contestable)**Section 45**

Charge item	Charge unit	Charge
Point of connection enquiry (where the customer has not selected the point of connection)	per enquiry	FREE
Design of service connection (where contestable)	per application	FREE
Standard connection (≤ 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box + up to 2 linear metres of service pipe)	per connection	£708
Standard connection (> 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box + up to 2 linear metres of service pipe)	per connection	£877
Standard connection (≤ 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box) where developer provides all excavation and refill	per connection	£162
Standard connection (> 32 mm diameter) via ferrule to main (including supply and installation of meter + meter box) where developer provides all excavation and refill	per connection	£331
Excavate, supply and lay additional pipe in verge/unmade ground and reinstate	per linear metre	£163
Excavate, supply and lay additional pipe in pavement/footway and reinstate	per linear metre	£304
Excavate, supply and lay additional pipe in road and reinstate	per linear metre	£325
Connection by means of four port manifold (four connections)	per manifold	£1,035
Connection by means of six port manifold (six connections)	per manifold	£1,114
Supply 15mm meter (non-AMR)	per meter	£36
Supply 15mm meter (AMR)	per meter	£65
Install and commission meter and/or meter box (only for meter types that necessitate a non-contestable delivery)	per meter	£35
Supply and fit domestic fire sprinkler connection (at the same time as other connections)	per connection	£50
Connection charge for building water	per plot	£82
Traffic management requiring traffic lights	per week or part thereof	£350
Highways Agency permit for traffic management requiring traffic lights	per application	£75
Road closure fixed charge	per closure	£2,340

Table 4-3 Disconnection charges (non-contestable)**Section 62**

Charge item	Charge unit	Charge
Permanent disconnection for domestic properties	each	FREE

Table 5-1 Providing a public main as a Section 41 requisition (non-contestable)
Section 41

Charge item	Charge unit	Charge
Mains administration fee	per application	£79
Mains design approval where designed by third party	per requisition	£174
Mains connection for connecting 49 properties or less that involves heightened risk to existing assets or could affect supplies to existing customers	per connection	£2,995
Mains connection for connecting 50 properties or more that involves heightened risk to existing assets or could affect supplies to existing customers (including the cost of supplying a meter for leakage monitoring requirements)	per connection	£6,370
Supply leakage monitoring meter (required where more than 500 linear metres of pipe is laid)	per meter	£1,128
Fit leakage monitoring meter and associated valves and hydrants (required where more than 500 linear metres of pipe is laid)	per meter	£3,202
Income offset	percentage	15%
Laying of additional mains where required to connect to nearest water main		Table 5-2

Table 5-2 Providing a public main as a Section 41 requisition (contestable)
Section 41

Charge item	Charge unit	Charge
Point of connection enquiry (where the customer has not selected the point of connection)	per enquiry	FREE
Mains design fee	per requisition	£373
Re-design fee where layout subsequently amended	per request	£187
Supply and lay pipe where developer digs and reinstates the trench	per linear metre	£75
Excavate, supply and lay additional pipe in verge/unmade ground and reinstate	per linear metre	£116
Excavate, supply and lay additional pipe in pavement/footway and reinstate	per linear metre	£203
Excavate, supply and lay additional pipe in road and reinstate	per linear metre	£288
Land entry agreements including compensation and legal fees	per linear metre	£8
Fit leakage monitoring meter and associated valves and hydrants (required where more than 500 linear metres of pipe is laid)	per meter	£3,202
Providing a booster where a developer desires guaranteed pressure greater than 0.7 bar at any point on the site	per booster	£75,413
Routine in-line mains connections (second connection of main in case of diversion)	per connection	£955
Pressure testing	per test	£541
Chlorination	per phase	£271
Sampling and undertaking standard analysis	per sample	£85
Traffic management requiring traffic lights	per week or part thereof	£350
Highways Agency permit for traffic management requiring traffic lights	per application	£75
Road closure fixed charge	per closure	£2,340
Income offset	percentage	15%

Table 5-3 Adopting self-laid mains (non-contestable)**Section 51**

Charge item	Charge unit	Charge
Pre-commencement fee	per application	£41
Re-inspection fee	per site visit	£81
Legal agreement fee (for new agreements or reassessments of previous assessments)	per adoption	£460
Service connection administration fees (where an SLP is providing these)	per connection	Table 4-1
Excavate, supply and lay pipe (and reinstate where required)		Table 5-1

Table 5-4 Adopting self-laid mains (contestable)**Section 51**

Charge item	Charge unit	Charge
Mains design work	per design request	£373
Excavate, supply and lay pipe (and reinstate where required)		Table 5-2

Table 5-5 Diverting water mains (contestable and non-contestable)**Section 185**

Charge item	Charge unit	Charge
Administration fee	per application	£132
Design fee (where a mains is to be diverted) (refundable in part)	per design	£2,000
Technical assessment fee (where the design for the diversion is provided by the developer)	per assessment	£160
Inspection fee (where the diversion work is provided by the developer)	per inspection	£203
Disconnection/reconnection of main (shut off)	per connection	£955
Disconnection/reconnection of main (line stop)	per connection	£4,304
Decommissioning redundant pipe	per linear metre	£27
Reinstatement of ground for washout/slucice valve installation	each	£203
Excavate, supply and lay pipe (and reinstate where required)		Tables 5-1 & 5-2

Table 6-1 Sewer connection charges (contestable and non-contestable)**Section 106 & 107**

Charge item	Charge unit	Charge
Administration & technical approval fee	per application	£84
Connection by means of a Y-junction or saddle (including materials)	per connection	£363
Inspection of a connection via a new manhole	per application	£122
Inspection of a connection via an existing manhole	per application	£61

Table 7-1 Providing a public sewer or lateral drain (non-contestable)**Section 98**

Charge item	Charge unit	Charge
Administration fee	per application	£125
Point of connection enquiry (where the customer has not selected the point of connection)	per requisition	FREE
Design fee	per design	£3,000
Income offset	percentage	15%

Table 7-2 Requisition charges for new public sewers (contestable)

Section 98

Charge item	Charge unit	Qty
Excavate, supply and lay ≤150mm diameter pipe at ≤1.5m depth (and reinstate where required)		
In field	per linear metre	£523
In crop field (or where compensation is payable)		£540
In garden		£626
In pavement/footway		£723
In highway		£968
Excavate, supply and lay >150mm diameter pipe at ≤1.5m depth (and reinstate where required)		
In field	per linear metre	£709
In crop field (or where compensation is payable)		£725
In garden		£812
In pavement/footway		£908
In highway		£1,154
Sewer laying charge multiplier where depth is >1.5m and ≤4m	multiplication factor	1.2
Sewer laying charge multiplier where depth is >4m and ≤6m	multiplication factor	1.5
Excavate, supply and lay rising main at ≤1.5m depth (and reinstate where required)		
In field	per linear metre	£328
In crop field (or where compensation is payable)		£345
In garden		£431
In pavement/footway		£421
In highway		£495
Installation of Sustainable Drainage Scheme (SuDS)	per scheme	Price on Application
Land entry agreements including compensation and legal fees	per linear metre	£8
Supply and install type 1 sewage pumping station	per sewage pumping station	£57,600
Supply and install type 2 sewage pumping station		£85,000
Supply and install type 3 sewage pumping station		£186,800
Traffic management requiring traffic lights	per week or part thereof	£350
Highways Agency permit for traffic management requiring traffic lights	per application	£75
Road closure fixed charge	per closure	£2,340
Income offset	percentage	15%
Decommissioning redundant pipe (if diverting a sewer under a section 185 diversion)	per linear metre	£27

Table 7-3 Adopting existing sewerage assets (non-contestable)
Section 102

Charge item	Charge unit	Charge
Administration fee	per application	£103
Technical approval	per application	£309
Inspection	per application	£305
Installation of standard telemetry including: configuration of telemetry system, provision of a telemetry outstation, LPU and secondary BT socket, wiring from outstation to marshalling box, testing all signals from source, making site live to our control room and issue all relevant certification	per installation	£2,400
Installation of telemetry as above but with the addition of telemetry for a chemical dosing unit, requiring a larger outstation, additional configuration and testing	per installation	£3,000
Configuration, testing and commissioning of telemetry system where approved contractor has provided the telemetry outstation and all necessary connections	per installation	£1,600
Excavate supply and lay pipe (and reinstate where required)		Table 7-1

Table 7-4 Adopting new sewerage assets (contestable)
Section 104

Charge item	Charge unit	Charge
Administration fee	per application	£173
Technical approval	per application	£511
Adoption compliance fee	percentage of our quoted construction cost	2%
Legal agreement fee (for new agreements or reassessments of previous assessments)	per agreement or per adoption	£460
Deed of grant fee	per agreement	£769
Land transfer fee	per agreement	£967
Security or deposit (if appropriate) (refundable in part)	percentage of our quoted construction cost	10% or minimum of £5,000
Installation of standard telemetry including: configuration of telemetry system, provision of a telemetry outstation, LPU and secondary BT socket, wiring from outstation to marshalling box, testing all signals from source, making site live to our control room and issue all relevant certification	per installation	£2,400
Installation of telemetry as above but with the addition of telemetry for a chemical dosing unit, requiring a larger outstation, additional configuration and testing	per installation	£3,000
Configuration, testing and commissioning of telemetry system where approved contractor has provided the telemetry outstation and all necessary connections	per installation	£1,600
Sewer connections		Table 6-1
Excavate supply and lay pipe (and reinstate where required)		Table 7-2

Table 7-5 Diverting a public sewer asset – major or minor diversion (non-contestable)
Section 185

Charge item	Charge unit	Charge
Administration fee (includes letter of agreement)	per application	£93
Technical assessment fee (where the design for the diversion is provided by the developer)	per assessment	£314
Appraisal fee (where we divert a critical or major sewer) (refundable in part)	per appraisal	£2,000
Inspection fee (where the diversion work is provided by the developer)	per site	£305
Security or deposit (if appropriate)	percentage of our quoted construction cost	10% or minimum of £500 for minor diversion, or minimum of £5,000 for major diversion
Excavate supply and lay pipe (and reinstate where required) or decommission redundant pipe		Table 7-2

Table 8-1 Water infrastructure charges
Section 146

Charge item	Charge unit	Charge
Infrastructure credits to account for relevant use within the last five years	Number of credits	-£147
Standard infrastructure charges due for the development	Charge per dwelling	£147
Relevant multiplier charges due for the development	Charge based on fittings	RM x £147

Table 8-2 Sewerage infrastructure charges
Section 146

Charge item	Charge unit	Charge
Infrastructure credits to account for relevant use within the last five years	Number of credits	-£190
Standard infrastructure charge due for development	Charge per dwelling	£190
Relevant multiplier due for the development	Charge based on fittings (calculated by reference to table 5-3)	RM x £190
Environmental discount (if applicable) for the inclusion of an agreed SuDS scheme that attenuates the flow of surface water into our existing or proposed network	Charge per dwelling	£95
Environmental discount (if applicable) for schemes that commit to zero surface water discharge into our existing or proposed network	Charge per dwelling	£19

Table 8-3 Relevant multiplier loading units for non-standard properties

Water fitting/appliance	Loading units
WC flushing cistern	2
Urinal	3
Wash basin in a house	1.5
Wash basin elsewhere	3
Bath (tap nominal size 3/4"/20mm)	10
Bath tap nominal size > 3/4"/20mm)	22
Shower	3
Sink (tap nominal size 1/2"/15mm)	3
Sink (tap nominal size > 1/2"/15mm)	5
Spray tap	0.5
Bidet	1.5
Domestic appliance	3
Communal or commercial appliance	10
Any other waste fitting or outlet	3
Indoor swimming pool	24

Appendix A Glossary and defined terms

Term	Definition
Abortive visit	Where the site is unsafe, or the developer has not prepared the site ready for a connection to be made, a charge will be made for an abortive visit.
Additional site visit	Where additional visits need to be made, in line with our policy of cost-reflective charges, we will make a charge for that additional visit.
Accredited entity	Contractors and multi-utility infrastructure providers laying mains for the developers (otherwise known as Self-Lay Providers).
Accredited provider	A contractor who holds a Wessex Water permit card.
Administration fee	Fees to recover costs reasonably incurred in administration required for processing and undertaking works required.
Administration fee (first connection)	Administration costs include setting up the account etc. Additional costs may be incurred for the first connection.
Administration fee (subsequent properties)	Administration costs include setting up the account etc. Once the account is set up, the additional costs are generally lower.
Adoption	This is the process by which we take over responsibility for infrastructure such as mains and sewers.
Adoption compliance fee	Charge for ensuring that adopted assets comply with the requisite standards.
Adoption of existing assets (s102)	Existing sewers and other assets may be adopted under section 102 of the Water Industry Act 1991.
Adoption of new sewers (s104)	New sewers and other assets may be adopted under section 104 of the Water Industry act 1991.
AMR meter	A meter fitted to allow automatic reading
Appraisal fee	Maximum charge for technical assessment and design of diversion proposals. A partial refund may be available.
Asset payment	Under section 51A of the Water Industry Act 1991, we make asset payments where a developer laid pipes that were subsequently adopted but no payment was made for sewers laid under s104.
Booster	Device fitted to maintain adequate water pressure.
Brownfield site	A site that has previously been built upon (as opposed to a 'greenfield' site that has never been built upon).
Building water	Charge for water used during construction of property.
CCTV survey	Inspection of condition of a sewer by camera.
Charge for working in contaminated land	Where pipe is laid in contaminated land, protective pipe is used and an additional charge is levied accordingly.
Charging arrangements	The document setting out the charges, income offset and asset payments, and/or the methodologies for calculating those, applied by the water or sewerage undertaker in accordance with these rules.
Charging year	A calendar year running from 1 April in a given year to 31 March in the following year.
Chlorination	Disinfection of new water mains.
Commissioning	The process of filling the mains with water so that the supplies are available for customers to use. This will be after the necessary quality tests have taken place.

Term	Definition
Communication pipe	Any part of a service pipe which a water undertaker could be, or have been, required to lay under section 46 of the Water Industry Act 1991.
Connection by means of a Y-junction or saddle	Method of connecting up to three properties to the sewerage system. This work is generally undertaken by Wessex Water under section 107.
Connection by means of manifold (four or six connections)	Means of connecting up to four properties to the water supply system. Excavate to expose existing main, tap and connect communication pipe, excavate and install manifold and surface box.
Connection charges	Charges to recover costs of connecting new developments to the water mains and/or public sewer systems.
Connection through an existing or new manhole	Method of connecting to the public sewerage system.
Connection via ferrule to main and supply and installation of meter box and up to 2 linear metres of service pipe	Excavate to expose existing main, tap and connect live main, excavate and lay communication pipe, excavate and install MVU/meter box.
Contaminated ground	Ground that requires protective pipe to be installed. An additional charge is made to cover additional costs.
Contestable work	Work or services that either Wessex Water or someone else may do or provide.
Crop field	Field in which crops are being grown, and compensation may be payable.
Design fee	Charge for preparing scheme drawing
Developers	Those who organise the purchase of land, construction of new buildings and their sale.
Development	Premises on which there are buildings, or on which there will be buildings when proposals made by any person for the erection of any buildings are carried out, and which require connection with, and/or modification of, existing water or sewerage infrastructure.
Decommissioning of redundant pipe	The abandoned pipe either needs to be broken out or in the case of a sewer, alternatively fully grouted up to prevent collapse, water or rodent ingress and render it no longer viable as a sewer.
Diversion charges	Charges to recover costs reasonably incurred in diverting mains or public sewers.
Environmental discount	Discount applied to infrastructure charges (sewerage) where rainwater from a property is partially or fully discharged outside of our sewerage network.
Excavate, supply and lay additional pipe	Charge for laying pipe additional to that included in the basic connection cost.
Existing mains/existing network	The parts of the system already in place before the developer (or its contractor/SLP) starts installing pipes. These will include off-site and on-site pipework, some of which may supply existing customers.
Extension to the network	A single pipe that is laid from the existing network to serve new customers.
Extract of our network map	Provide extract of network layout to customer's requirements – printed or sent electronically
Field	An area of open land normally bounded by hedges or fences

Term	Definition
Fixed charges	Charges set for a given charging year which are fixed in amount or which are calculated by reference to a predetermined methodology set out in the undertaker's charging arrangements, the application of which allows calculation at the outset of the total amount owing in that charging year in respect of the charges in question. Such charges are to be fixed for a charging year, as defined above.
Four port manifold	A manifold which is used to connect four new connections to our network.
Highway	Vehicle access way
Income offset	A sum of money offset against the charges that would otherwise be applied for the provision of a sewer or water main in recognition of revenue likely to be received by the relevant undertaker in future years for the provision of: (i) supplies of water to premises connected to the new water main; or (ii) sewerage services to premises connected to the new sewer, and 'income offsetting' shall be construed accordingly. From April 2020, the income offset will be applied to the infrastructure charge.
Infrastructure charge	Charge for improving existing network to accommodate new development.
Infrastructure credit	Discount applied where a development has previously been connected to our network within the previous five years. The credit should be applied by deducting the number of former houses connected on the site or by taking the metered consumption or discharge from the site and equating to that of an average house within our area to arrive at an equivalent number of houses. In the absence of metered information other reasonable evidence should be used to estimate the prior demand on the network from the site.
Inspection fees	Charge for inspection of site.
Install and commission meter and/or meter box	Excavate and install meter and meter box
Land entry costs	Payment made to landowner to gain access
Lateral drain	(a) that part of a drain which runs from the curtilage of a building (or buildings or yards within the same curtilage) to the sewer with which the drain communicates or is to communicate; or (b) (if different and the context so requires) the part of a drain identified in a declaration of vesting made under section 102 of the Water Industry Act 1991 above or in an agreement made under section 104 of this Act.
Legal fees	Charge for professional legal services
Live main	A main connected to the water network and filled with water.
Mains administration fee	Charge to recover costs reasonably incurred in administration connected to s41 requisition.
Mains design approval	Our cost for reviewing and approving mains designed by others.
Mains design fee	Design of distribution mains layouts to serve site-specific requirements.
Network reinforcement	Modifications necessary to an existing network in order to provide the required water to a new development without compromising existing levels of service to existing customers. Network reinforcement can include such things as mains reinforcement/upsizing, booster station and service reservoir construction etc.

Term	Definition
New appointment or variation (NAV)	A company holding an appointment as a relevant undertaker where the conditions of that appointment limit the charges that can be fixed under a charges scheme by reference to the charges fixed by one or more other relevant undertakers.
New main	A main laid by the developer (or its contractor/SLP) as part of a development.
Non-contestable	Not open to competition.
Non-contestable work	Work or services that only Wessex Water (or an agent acting on their behalf) can do or provide.
Off-site	In the public highway or in land owned by people other than the developers.
On-site (may be termed site-specific)	Land owned by developers.
Permanent disconnection	Water supply removed from premises
Piece-ups	Pipes connecting one phase of a development site to another phase.
Point of connection enquiry	Identification of suitable location for development to connect to supply or sewerage network
Pre-commencement fee	Fee to instigate internal design works, enable preliminary inspections and liaison with developer
Pressure testing	Testing to make sure that the new mains have been constructed and joined correctly and that they will carry the working pressure required.
Providing and/or commissioning company specific telemetry for assets offered for adoption	To provide remote monitoring (telemetry) of the status and performance of sewage pumping station assets. Remote monitoring of these assets allows failures to be rapidly detected, and maintenance/operational staff to be deployed as necessary.
Public sewer	A sewer for the time being vested in a sewerage undertaker, whether under the Water Act 1989, the Water Industry Act 1991 or otherwise.
Re-design fee where layout subsequently amended	Reduced fee where part of design work has been carried out
Re-inspection fee	Re-inspection of works following amendments, alterations and corrections to agreed works
Reinstatement	Work carried out to restore the surface of the ground to its original condition; for example, resurfacing a road after work to lay water mains.
Relevant multiplier	Multiplier that takes account of developments other than houses where the number of water fittings may deviate from an average house
Remobilisation charges	Charge for additional work required to revisit site
Requisition	We must provide water mains that are sufficient for domestic purposes when required to do so by a notice under sections 41 to 44 of the Water Industry Act 1991. This is known as a requisition. We must provide the mains once the financial conditions of compliance are satisfied and we have agreed the places for connecting the new pipes to its existing main or network.
Requisition charges	Charges to recover costs reasonably incurred in undertaking requisitions.

Term	Definition
Returnable cash deposit/bond	Money refunded to developer on satisfactory completion of works
Rising main	Sewer that leaves a pumping station and is under pressure
Road closure fees	Charge made by Highway Authority for closing public highway
Routine in-line mains connections	Piece through like for like diameter main to stop end valve in excavation opened by others.
Sampling and undertaking standard analysis	Taking a sample and analysing it to test for quality for DWTS (Drinking Water Testing Specification)
Security or deposit	Percentage of the value of the works paid to us to provide a security to guard against incomplete or unsatisfactory works or remedial works required. If the works are completed to a satisfactory standard, this security is repaid and therefore acts as a deposit.
Self-lay	Where developers, or their contractors, install new water mains and service pipes instead of asking us to do the work.
Self-lay providers (SLPs)	Contractors and multi-utility infrastructure providers laying mains for the developers.
Service pipes	A pipe supplying water from a main to any premises (whether in the highway or in private land).
Sewage pumping station	Sewers for Adoption classifies pumping stations in the following way: • Type 1 – having an incoming peak design flow of ≤ 0.25 litres per second (typically five dwellings or less) • Type 2 – having an incoming peak design flow of > 0.25 litres per second but less than 1 litre per second (typically six to twenty dwellings).
Sewer	Includes all sewers and drains (not being drains within the meaning given by section 219(1) of the Water Industry Act which are used for the drainage of buildings and yards appurtenant to buildings. This definition includes tunnels or conduits which serve as such a pipe and any accessories for such a pipe.
Single length of minor private sewer – adoption fee	Charge for assessment and investigation of sewer prior to adoption under S102
Site specific	Work on, or the provision of, water or sewerage structures or facilities located on a development as well as work to provide and connect a requested water main, sewer, communication pipe or lateral drain on, to or in the immediate vicinity of, the development and ‘site specific work’ shall be construed accordingly. It does not refer to costs or work required as part of network reinforcement as defined above.
Site visit to plan the connection if necessary	Meeting on site to agree connection works
Six port manifold	A manifold which is used to connect six new connections to our network.
Small company	A new appointment
Spur from existing main	Supply point for SLP to test main
Standard infrastructure charge	Standard charge for a new house
Standing time	Time spent waiting for the developer to make the site ready.

Term	Definition
Suitable contractor	A contractor who holds a Wessex Water permit card
Supply and fit leakage monitoring meter	Installation of a meter on a new estate to record flow to assist in leak detection activities.
Supply and fit domestic fire sprinkler connection	Provide un-metered connection for sprinkler purposes.
Supply meter	Undertaker will provide meter body and meter box components for assembly by others
Supply pipe	That part of the service pipe owned by the property owner.
Technical approval	Review submission to ensure compliance our requirements/Sewers for Adoption.
Technical assessment fee	Charge for review of diversion plans
The Water Supply (Water Fittings) Regulations 1999	These Regulations are requirements for the prevention of contamination of water supplied, and it is our statutory duty to enforce them.
The Water Supply (Water Quality) Regulations 2000 and any subsequent amendments	These Regulations specify the standards used to define the wholesomeness of drinking water and also specify, under Regulation 31, the requirements for using approved substances and products. The DWI enforces the Regulations.
Traffic management (requiring traffic lights)	Provision of temporary traffic control lights, signage and other associated equipment. This is charged out at a weekly rate.
Trench inspections	Where supply pipe is inspected to ensure compliance with undertakers standards
Undertaker	A water undertaker or sewerage undertaker.
Upsizing mains	When a we decides to lay a larger main than is needed to supply a new development. This might be because we consider that the demand for water will increase in the future.
Verge	Unmade ground.
Viability study, to confirm whether capacity can be provided us in line the proposed development programme	Investigation carried out on water and sewerage network to confirm point of connection to networks or if off site reinforcement is required
Water efficiency multiplier	Multiplier to reflect water conservation measures a developer may install or contribute to in order to reduce the development's impact on our network.
Water main	Any pipe, not being a pipe for the time being vested in a person other than the undertaker, which is used or to be used by a water undertaker or licensed water supplier for the purpose of making a general supply of water available to customers or potential customers of the undertaker or water supply licensee, as distinct from for the purpose of providing a supply to particular customers. This definition includes tunnels or conduits which serve as a pipe and any accessories for the pipe.
Water Supply Licensee (WSL)	Water supply and sewerage licensees (often known as retailers) have a licence to supply eligible business, charity and public sector customers mainly in England with retail services.

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