

# Diverting public sewers

What you should do, and how we can help





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## What is a sewer diversion?

Anyone with an interest in any land (including adjoining land) which contains a public sewer or associated apparatus has the right to request the alteration or removal, including diversion (generally referred to throughout these notes as diversion) of that sewer to accommodate a proposed improvement of that land (e.g. development or change of use). This right is granted by Section 185 of the Water Industry Act 1991 (WIA 1991). This does not necessarily apply to sewers in any public highway, but the process can be used in some instances.

A sewer diversion includes the diversion of any public sewage asset that we operate and maintain, from a lateral drain serving a single property, to a large sewage pumping station.

**Note: 'Interest' usually refers to ownership. Anyone who is not an owner of the land should obtain legal advice on their eligibility to apply prior to making an application.**

We maintain a public sewer record which is a very useful starting point for establishing the location of public sewers. The record however is not an exhaustive or complete register of our sewer network and in many instances unmapped sewers may be located within land that you are planning to develop.

We can help you establish whether there are any public sewers within your land, but we may charge for this service. Please contact us directly on **08009172652** for further advice on our sewer trace process.

Any significant alteration to ground levels over or near to a public sewer is also covered by the WIA 1991 and again you need our permission before carrying out such works.



## Before you start

You can make a request to us to alter, remove or divert apparatus by submitting an application. Further on within this guide we detail the information we need to assess your proposals. We will consider all such requests, unless we deem the request unreasonable. Any request which would result in a reduction of the performance of the apparatus, or would render it unusable or inaccessible, would normally be considered to be unreasonable.

When we have confirmed an asset may be diverted or otherwise altered, we will consider whether we will undertake the work or whether we will allow you to enter into an agreement (commonly called a Section 185 Diversion Agreement) to undertake some or all of the work yourself. On the occasions where we consider it necessary to carry out the work ourselves, we'll inform you at the earliest opportunity. If we are to carry out all the work, you will not be required to enter into an agreement as described above.





## Making an application

When we receive your application, we will first assess whether you've provided the necessary information that enables us to undertake the initial assessment. If your application is not complete, we will ask you to provide the missing information. To avoid incurring any delay please be sure to complete the checklist at the end of this document and provide all supporting information.

When we have completed our assessment of your application, we'll let you know whether your proposal has been accepted or rejected. If your application is rejected we will inform you in writing of the reasons why or ask for further information from you. If your application is accepted we will request payment and invoice you accordingly. Once all the information and fees are received, our legal department will prepare the agreement.

When this is ready and you have paid our legal costs, both parties will sign the agreement and you will be able to proceed to the construction phase

## How much will a diversion cost?

Any sewer diversion needs to be funded by the customer requesting the service. Where we allow customers to divert, they will need to fund the construction diversion work and also cover our costs for assessing the technical detail of application, setting up a formal sewer diversion agreement, providing a bond or surety to support the agreement and our inspection of their works. Our costs are calculated as follows –

- There is a fee for our technical vetting of your proposals and inspection of the works. This fee can be found within our Schedule of Charges.
- As part of the Section 185 agreement there will be other fees to consider. Our legal team will charge their fee as an additional cost, this is calculated on a case by case basis and will be provided to you when the unsigned agreements are drafted.

- A CCTV survey will be required both pre and post agreement. You as the developer will be responsible for arranging and covering the cost of these surveys. The pre-construction CCTV survey ensures that every existing connection to the sewer being diverted is identified and taken account of. In some instances, it may be more cost effective to expose the sewer to check for connections, if this happens then a CCTV survey will not be required. In the majority of instances, we require a CCTV survey of the completed sewer diversion to confirm its condition.
- A surety or bond will be required as part of the Section 185 diversion agreement. This surety / bond will be requested by our solicitors when the drafted copies of the agreement are issued to you for signing. This bond amount is calculated at 100% of the estimated total cost of the diversion. Should the value of the required bond be more than £5,000, a surety provider (AA rated insurance company or high street bank or building society) will be required. Please contact us if you require any further advice in relation to surety. Should the value be less than £5,000, a cash surety can be considered with a minimum value of £500. This surety will be held by Welsh Water for a minimum period of 12 months post construction sign off and once the diversion has passed a final inspection this bond will be released at the end of the Defects Liability Period.

The construction of the diversion will need to be completed by a contractor who has Safety Schemes in Procurement (SSIP) accreditation. Proof of this accreditation may be requested as part of the process. Please provide an estimate of the costs of the works as part of the application submission.





# Restrictions

Please note that you cannot request the alteration of the following:

- A pipe carrying effluent from a wastewater treatment works or;
- A pipe which is an overflow pipe (from a combined sewer overflow, pumping station wastewater treatment works etc.).

A proposed alteration cannot be considered if the proposal will result in detriment to the existing public sewer network.

### Examples of detriment include:

#### 1. The significant loss of capacity of the sewer and/or reduction in velocity of flow. This will be caused by:

- An increase in the length of the sewer which results in the unacceptable reduction of the gradient of the sewer;
- The introduction of too many additional bends or sharper bends.

The extent to which any alteration will produce significant loss will depend on the proposed sewer arrangement and you will be required to submit calculations to show the effect your proposed diversion has on the hydraulics of the system.

#### 2. Reduction in ease of access to the sewer for maintenance.

- For example – the manholes chamber on large sewers being re-located in private land which is no longer accessible to our vehicle-based maintenance equipment.

#### 3. We will not permit the alteration to a sewer if:

- The alteration will cause or increase the risk of flooding within the catchment;
- The sewer in question is of strategic significance.

#### 4. Instances where the sewer can be diverted, but we need to deliver the works:

- The alteration involves work on or near a combined sewer overflow.
- The alteration involves work on or near a public sewage pumping station.
- The alteration involves work on a pumped main.
- The risks associated with the diversion are so significant i.e. large diameter sewers, sewers within environmentally sensitive locations.





## Ready to apply?

### Here's a handy checklist to make sure you've got everything covered

The first step is to submit:

- Our sewer diversion expression of interest form, found on our website.

Once we've received your expression of interest form, we'll then ask you to:

- Complete a more detailed application form and provide
- An arrangement plan (appendix 1)
- A longitudinal section drawing which details the existing and proposed levels, pipe diameters and pipe gradients (please note, these are only required when the diversion route is longer than 20m and more than 2 new manhole chambers are required. Please provide manhole level details in a similar format to the manhole schedule included within the example arrangement plan)

As you are entering into a formal legal agreement with us, your plans and other supporting information will need to be detailed correctly.

The arrangement plan (appendix 1) will need to include:

- A title and drawing number
- North point to help us locate the development
- Scale and size of the plan
- Confirmation that the sewer will be constructed in accordance with the standards set out in the Design Guide Sewers for Adoption 7th Edition
- Detail of the foundation of any structure new the diversion
- Manhole reference details
- Connection details (example attached)

The detail within the arrangement plan (appendix 1) will need follow this colour scheme:

- Sewer to be abandoned – **coloured brown (foul) / blue (surface water) / purple (combined foul & surface water)**
- Proposed foul / surface water sewer – **coloured red**
- Easements (if required) – **shaded yellow**
- Site boundary – **edged green**
- Everything else – **black**

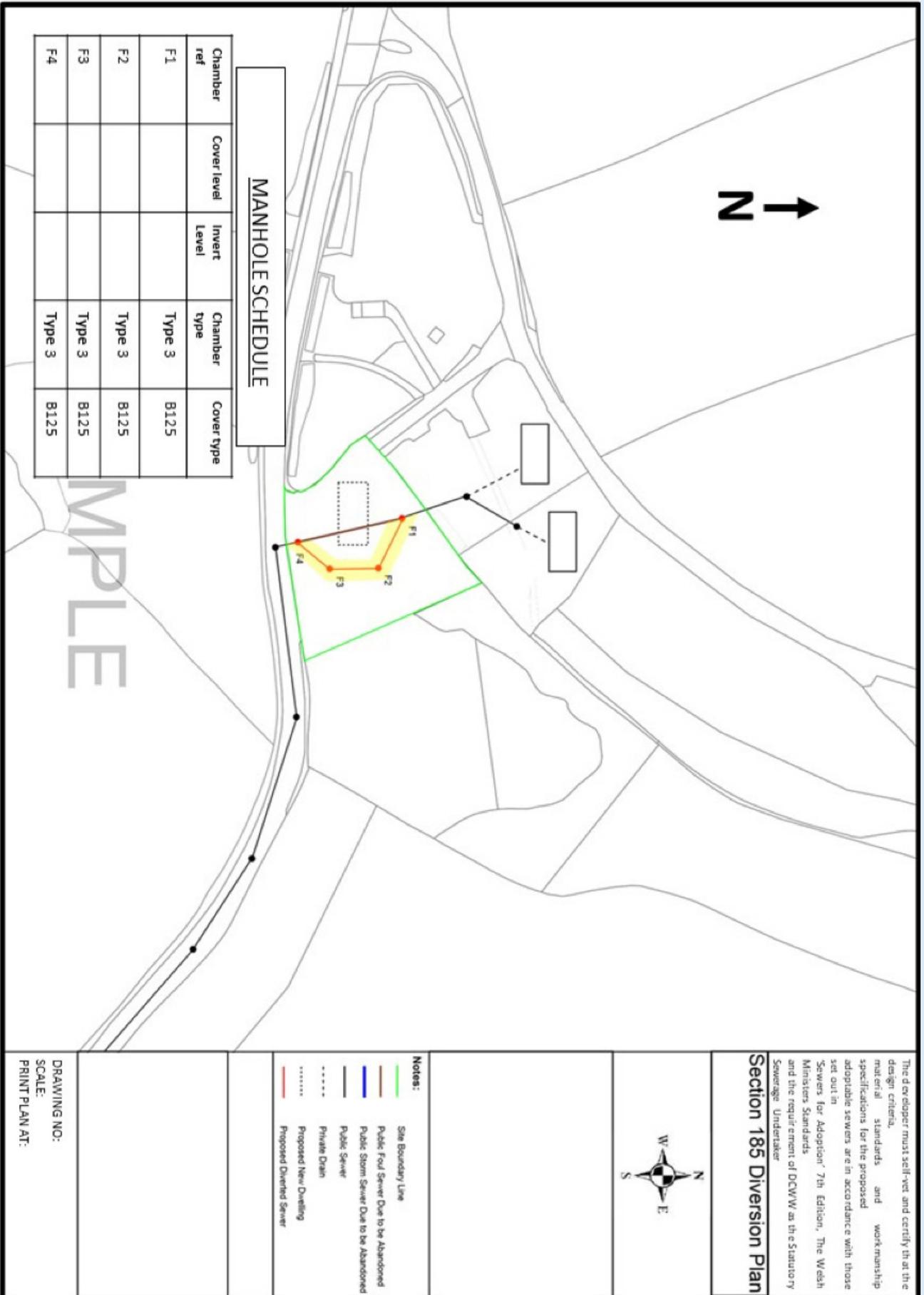
We will also require that a longitudinal section drawing is provided which details the existing and proposed levels, pipe diameters and pipe gradients.

The abandoned sewer should be removed from the ground if practical to do so, or we may consider the abandoned sewer being filled (grouted) and capped if appropriate.

**Note:** Further guidance relating to our requirements (and specification) can be obtained via our website [developers.dwrcymru.com](http://developers.dwrcymru.com). Alternatively, you can contact us on 0800 917 2652 to request a hard copy.

If you have any further queries, please contact us at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com) or call us on 0800 917 2652

# Appendix 1 – Arrangement plan





## Contact Us:

We're always here to help...

### Call

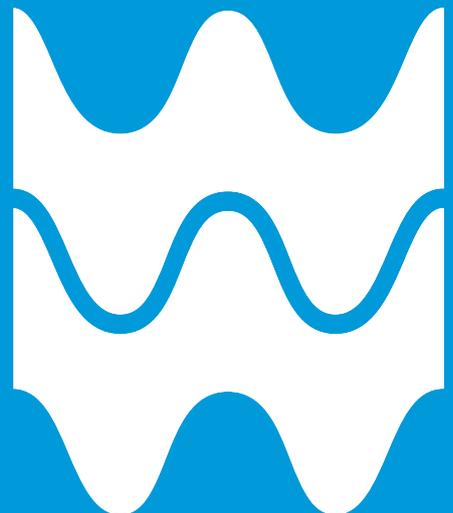
0800 917 2652

### Email

[developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

### Visit

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