

When Drains or Sewers become blocked or damaged, there can be confusion over who is responsible. We have produced this leaflet to help explain the responsibilities of householders, the Borough Council and the Sewage Undertakers.

DEFINITIONS

Firstly, there is an important distinction between a drain and a sewer:

Drain – is a pipe that serves just one property or curtilage. A block of flats would be regarded as one curtilage.

Sewer – is a pipe that serves more than one property or curtilage.

Thus, when two drains combine they become a sewer.

Lateral Drain – is a drain that is not on land within the ownership of the user, i.e. a drain that passes through someone else's land.

WHO IS RESPONSIBLE FOR CORRECTING DEFECTS

Defective drains are the responsibility of the owner and/or occupier of the property served by the drain.

Responsibility for defective Sewers and Lateral Drains rests with the Sewage Undertaker for your area. This has come about as a consequence to a recent change in the legislation covering Drains and Sewers. The Water Industry (Schemes for Adoption of Private Sewers) Regulation 2011 came into force on 01-October 2011. This passed ownership of Sewers and Lateral Drains that connects to a Public Sewer to the respective Sewage Undertaker for a given area.

If you experience a problem of a Sewer or Lateral Drain, you should contact the Sewage Undertaker for your area. Details of these are given at the end of this leaflet.

The Regulations do not cover drainage/sewerage systems that do not connect to a Public Sewer, for example Cess Pits, Septic Tanks and Self-Contained Sewage Treatment Works. Neither do they cover systems that drain to a water course.

Pumping Stations are due to transfer gradually over the next 5 years, meaning that all Pumping Station will have transferred to the Sewage Undertaker by 01-October-2016. If you experience a problem with a Pumping Station, you should contact the Sewage Undertaker for your area in the first instance. They will be able to tell you whether the Pumping Station in question has been transferred into their ownership. If this is not the case, then responsibility for its repair, maintenance and upkeep rests with all users of the Pumping Station. This is the case even if the Pumping Station is some distance from your property.

CHARGES

All properties that eventually connect to a Public Sewer will be subject to charges levied by the Sewage Undertaker. This will eventually contain an element for the maintenance, upkeep and repair of all Sewers and Lateral Drains.

WHEN DOES THE COUNCIL BECOME INVOLVED?

If a defect occurs in a Drain, Cess Pit, Septic Tank or Self-Contained Sewage Treatment Works and it is not corrected, the Council have powers to have blockages cleared and/or repairs carried out to ensure that the system works correctly and prevent nuisance or prejudice to health. This may include the service of legal Notices. If these are not complied with, the Council may do the necessary works themselves.

The cost of any work undertaken by the Council, together with any administration costs, can then be recovered from the householders concerned.

FURTHER INFORMATION

If you are unclear as to who has responsibility for your Drains/Sewers, further information may be obtained from:

Tonbridge & Malling Borough Council, Tel (01732) 876184, Email environmental.protection@tmbc.gov.uk

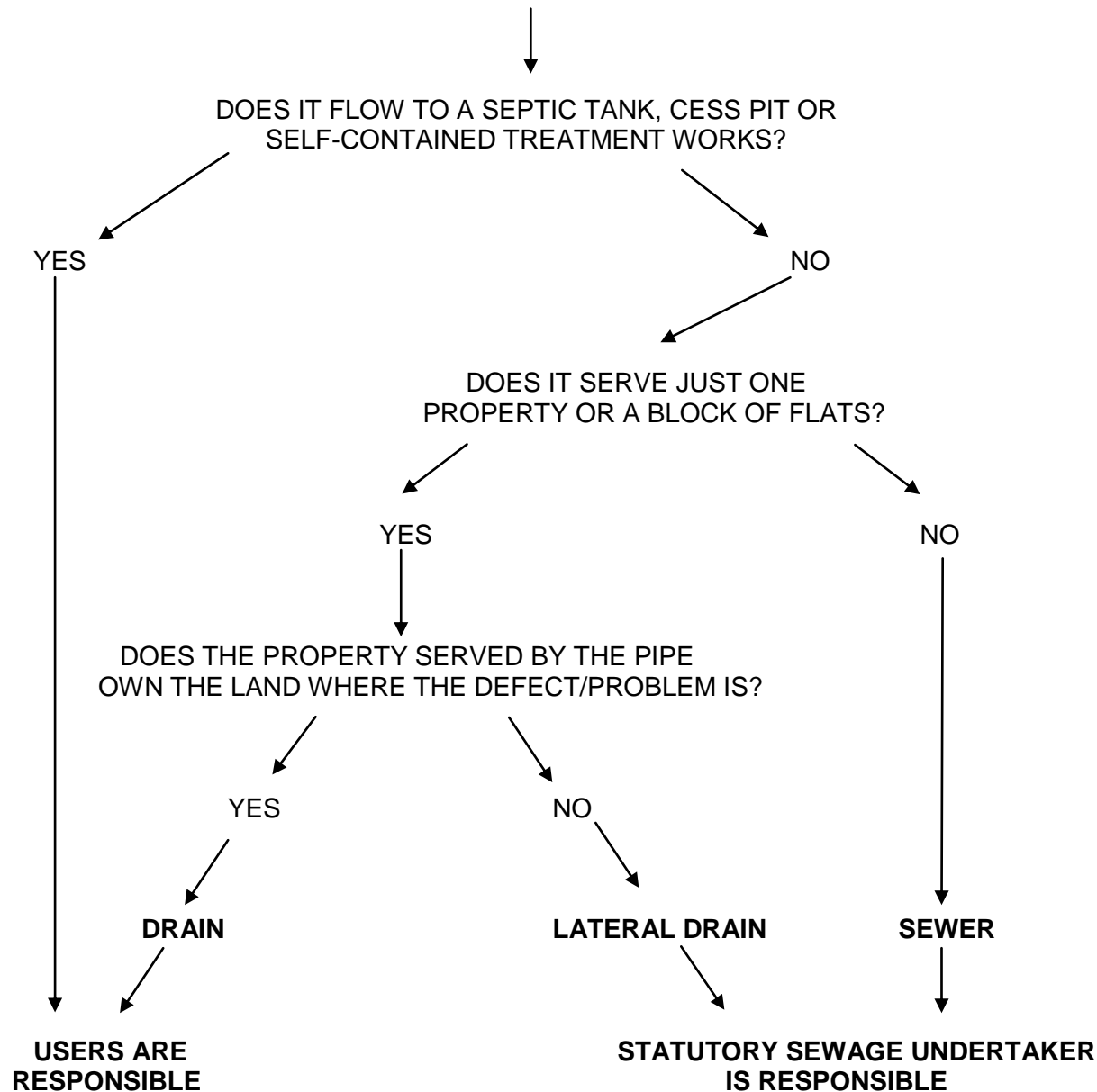
Southern Water (for areas except Fairseat and Stansted), Tel 08452 780845, Website www.southernwater.co.uk

Thames Water (for Fairseat and Stansted), Tel 08459 200800, Website www.thameswater.co.uk

If you are having difficulty reading this leaflet, or would like the information in a different format, please call (01732) 876184 or email environmental.protection@tmbc.gov.uk

WHO IS RESPONSIBLE?

DEFECTIVE PIPE / BLOCKAGE



HOUSEHOLDERS GUIDE TO DRAINS AND SEWERS

