



2016 CHAPTER 7

Refusal of surface water connection

5.—(1) Article 163 of the 2006 Order (right to connect to public sewer) is amended as follows.

(2) In paragraph (5), for the words from “the mode of construction” to the end substitute “either of the following grounds is satisfied.”.

(3) After that paragraph insert—

“(5A) The first ground is that the mode of construction or condition of the drain or sewer, or of any associated sustainable drainage system—

- (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.

(5B) The second ground, in the case of a drain or sewer discharging surface water into the public sewer, is that suitable alternatives exist, or could reasonably be provided, for the discharge of that water from the premises or sewer in question.

(5C) The reference in paragraph (5B) to suitable alternatives includes, in particular—

- (a) the use of landscaping, natural features or any other kind of arrangement, or
- (b) the design or construction of any other feature (whether or not amounting to a “structure” within the meaning of Article 2(3A)),

for the purpose of reducing the volume of water from the premises or sewer that enters public sewers or watercourses, or the rate at which it does so.”.