



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

[^{F1} Passing of plans][^{F1} Building control approval]

22 Drainage of buildings in combination.

(1) Where—

- (a) a [^{F1}local authority][^{F1}building control authority] might under section 21 above require each of two or more buildings to be drained separately into an existing sewer, but
- (b) it appears to the authority that those buildings may be drained more economically or advantageously in combination,

the authority may, when the drains of the buildings are first laid, require that the buildings be drained in combination into the existing sewer by means of a private sewer to be constructed either by the owners of the buildings in such manner as the authority may direct or, if the authority so elect, by the authority on behalf of the owners.

- (2) A [^{F1}local authority][^{F1}building control authority] shall not, except by agreement with the owners concerned, exercise the power conferred by subsection (1) above in respect of any building [^{F2}for whose drainage plans have been previously passed by them.][^{F2}if building control approval has been given in respect of work comprising drainage for the building.]
- (3) A [^{F1}local authority][^{F1}building control authority] who make such a requirement as aforesaid shall fix—
 - (a) the proportions in which the expenses of constructing, and of maintaining and repairing, the private sewer are to be borne by the owners concerned, or
 - (b) in a case in which the distance of the existing sewer from the site of any of the buildings in question is or exceeds one hundred feet, the proportions in

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which those expenses are to be borne by the owners concerned and the [F1local authority][F1building control authority],

and shall forthwith give notice of their decision to each owner affected.

- (4) An owner aggrieved by the decision of a [F1local authority][F1building control authority] under subsection (3) above may appeal to [F3a magistrates' court][F3the appropriate court or tribunal].
- (5) Subject to any such appeal—
- (a) any expenses reasonably incurred in constructing, or in maintaining or repairing, the private sewer shall be borne in the proportions so fixed, and
 - (b) those expenses, or, as the case may be, contributions to them, may be recovered accordingly by the persons, whether the [F1local authority][F1building control authority] or the owners, by whom they were incurred in the first instance.
- (6) A sewer constructed by a [F1local authority][F1building control authority] under this section is not deemed a public sewer by reason of the fact that the expenses of its construction are in the first instance defrayed by the authority, or that some part of those expenses is borne by them.

Textual Amendments

- F1** Words in s. 22 substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 24\(2\)](#); S.I. 2023/993, [reg. 2\(n\)\(xi\)](#) (with [reg. 4](#))
- F2** Words in s. 22(2) substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 24\(3\)](#); S.I. 2023/993, [reg. 2\(n\)\(xi\)](#) (with [reg. 4](#))
- F3** Words in s. 22(4) substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 6 para. 9\(c\)](#); S.I. 2023/993, [reg. 2\(o\)\(i\)](#) (with [reg. 6](#))

Modifications etc. (not altering text)

- C1** Ss. 21, 22, 23 extended by [S.I. 1987/798](#), [regs. 2\(1\), 4](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 91B inserted by [2022 c. 30 Sch. 5 para. 56](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 105C inserted by [2022 c. 30 s. 58](#)
- s. 116(3)-(6) inserted by [2022 c. 30 s. 45\(2\)\(d\)](#)
- s. 117(A1)(A2) inserted by [2022 c. 30 s. 45\(3\)\(b\)](#)
- s. 118(1A) inserted by [2022 c. 30 s. 45\(4\)\(b\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)