



Water Act 2003

2003 CHAPTER 37

PART 3

MISCELLANEOUS

Sewers and drains

99 Communication with public sewers

(1) Section 106 of the WIA (right to communicate with public sewers) is amended as follows.

(2) After subsection (1) there is inserted—

“(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.”

(3) In subsection (4), for “is such that the making of the communication would be prejudicial to the undertaker’s sewerage system” there is substituted—

“(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.”

Changes to legislation: *Water Act 2003, Section 99 is up to date with all changes known to be in force on or before 24 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) After subsection (5) there is inserted—

“(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.”

(5) In subsection (6)—

- (a) for “(3) to (5)” there is substituted “ (3) to (5A) ”,
- (b) in paragraph (b), after “(5)” there is inserted “ or (5A) ”,
- (c) at the end there is added “ (and, accordingly, section 105 above shall not apply to any requirement under subsection (5A) above). ”

(6) In section 219 of the WIA (general interpretation), in the definition of “public sewer”, after “means” there is inserted “ (subject to section 106(1A) above) ”.

Commencement Information

II S. 99 in force at 28.5.2004 by S.I. 2004/641, art. 4(b) (with Sch. 3 para. 7)

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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. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)