
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Water Industry (Schemes for Adoption
of Private Sewers) Regulations 2011**

Interpretation

2. In these Regulations—

“the Act” means the Water Industry Act 1991;

“adoptable”, in relation to a private sewer or private lateral drain, means a sewer or lateral drain in relation to which a sewerage undertaker must perform the relevant duty;

“declaration” means a declaration of vesting under subsection (1) of section 102(1) of the Act (adoption of sewers and disposal works);

“exempt”, in relation to a private sewer or private lateral drain, means a sewer or lateral drain which is exempt under regulation 5;

“main scheme” means a scheme under regulation 3;

“private lateral drain” means the whole or part of a lateral drain(2) which is not vested in a sewerage undertaker in its capacity as such;

“private sewer” means the whole or part of a foul, combined or surface water private sewer(3), but does not include a highway drain or sewer;

“pumping station” means that part of a sewer or lateral drain which is a pumping station used or intended to be used in connection with that sewer or lateral drain, and includes the rising main (the pressurised pipe that connects the pumping station with the rest of the sewer or lateral drain);

“the relevant date” means the date of commencement (in full) of section 42(1) of the Flood and Water Management Act 2010(4);

“the relevant duty” means the duty under section 105A(4) of the Act (duty on sewerage undertakers to exercise their powers under section 102 of the Act with a view to making a declaration pursuant to a scheme);

“scheme” means a scheme described in section 105A of the Act (schemes for the adoption of sewers, lateral drains and sewage disposal works);

“the supplementary adoption date” means the date which is the day after the end of the period of 6 months beginning with the relevant date; and

“supplementary scheme” means a scheme under regulation 4.

(1) Section 102 was amended by the Water Act 2003, section 96(1) and Part 3 of Schedule 9.

(2) See section 219(1) of the Water Industry Act 1991 for the definition of “lateral drain”, and see also section 219(2)(a) of that Act.

(3) See, in section 219(1) of the Water Industry Act 1991, the definitions of “public sewer” and “sewer”, and see also section 219(2)(a) of that Act.

(4) 2010 c. 29. Section 42(1) inserts section 106B into the Water Industry Act 1991.