
STATUTORY INSTRUMENTS

2008 No. 594

**The Water Supply and Sewerage Services
(Customer Service Standards) Regulations 2008**

Flooding from sewers—internal flooding of buildings

11.—(1) Effluent from a sewer that is vested in a sewerage undertaker must not enter a customer's building.

(2) Subject to paragraphs (3) and (5), if effluent from a sewer that is vested in a sewerage undertaker enters a building (other than an outbuilding) of a customer, the undertaker must pay the customer, in respect of each incident of such entry, the lesser of—

- (a) a sum equal to the sewerage charges payable by the customer to the undertaker for the financial year in which the incident occurs; and
- (b) £1,000.

(3) If the amount that an undertaker would be required to pay a particular customer for an incident, worked out in accordance with paragraph (2), would be less than £150, the undertaker must pay the customer £150.

(4) No application by the customer for the payment is necessary unless the undertaker could not practicably have identified the customer as having been affected.

(5) The undertaker need not pay the customer under paragraph (2) if—

- (a) the entry of effluent was caused by one or more of the following—
 - (i) exceptional weather;
 - (ii) industrial action by employees of the undertaker;
 - (iii) an action of the customer;
 - (iv) a defect, inadequacy or blockage in the customer's drain or sewer; or
- (b) if—

- (i) the undertaker could not practicably have identified the customer as having been affected, and
- (ii) the customer does not claim (orally or in writing) a payment under this regulation within the 3 months following the date on which the effluent entered the building.

(6) For the purposes of this regulation—

- (a) in the case of a building that has a suspended floor, the space beneath that floor is part of the building;
- (b) effluent is not taken to have entered a building while it is in a drain or sewer.