
STATUTORY INSTRUMENTS

2011 No. 1566

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

Existing proposals to make declarations, and existing declarations

7.—(1) Paragraph (2) applies where—

- (a) a private sewer or private lateral drain which would be adoptable pursuant to a main scheme is, immediately before 1st July 2011, the subject of a proposal (under section 102(4) of the Act) to make a declaration; or
- (b) a private sewer or private lateral drain which would be adoptable pursuant to a supplementary scheme is, immediately before the relevant date, the subject of such a proposal.

(2) Where this paragraph applies—

- (a) that proposal, in so far as it relates to that sewer or lateral drain, is treated as having been withdrawn; and
- (b) any appeal under subsection (1)(a) of section 105(1) of the Act (appeals with respect to adoption) in relation to that sewer or lateral drain which is outstanding immediately before—
 - (i) 1st July 2011, in relation to a sewer or lateral drain to which this paragraph applies by virtue of paragraph (1)(a), or
 - (ii) the relevant date, in relation to a sewer or lateral drain to which this paragraph applies by virtue of paragraph (1)(b),

is to be discontinued.

(3) Where—

- (a) (if it were not for regulation 3(7)(b)) a private sewer or private lateral drain would be adoptable pursuant to a main scheme, and
- (b) that sewer or lateral drain is, immediately before 1st July 2011, the subject of a declaration which specifies 2nd October 2011 or a later date as the date of vesting of that sewer or lateral drain,

the date of vesting of that sewer or lateral drain pursuant to that declaration is treated as being 1st October 2011.

(4) Where—

- (a) (if it were not for regulation 4(7)(b)) a private sewer or private lateral drain would be adoptable pursuant to a supplementary scheme, and
- (b) that sewer or lateral drain is, immediately before the relevant date, the subject of a declaration which specifies a date later than the supplementary adoption date as the date of vesting of that sewer or lateral drain,

(1) Section 105 was amended by the Water Act 2003, sections 36(2) and 96(5), and is prospectively amended by the Flood and Water Management Act 2010 (c. 29), section 42(2).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

the date of vesting of that sewer or lateral drain pursuant to that declaration is treated as being the supplementary adoption date.