

THE ROLE OF THE LOCAL AUTHORITY IN DEALING WITH BLOCKED PRIVATE SEWERS

The Council's Pollution Team will determine the extent of the problem, the number of properties involved and the action required to resolve the problem. This usually results in either informal or formal action being taken.

INFORMAL ACTION

Officers will endeavour to inform householders of the appropriate action to take, eg,

- Use rods to clear pipes personally or with the help of a neighbour.
- Contact a local specialist drain company.

FORMAL ACTION

- For simple blockages a Public Health Act 1961 Section 17 Notices or Local Government (Miscellaneous Provisions) Act 1976, Section 35 Notices, would require you together with the other affected persons to remove obstructions from the private sewer within 48 hours. The Notice or covering letter will indicate all other parties involved. If the Notice is not complied with, the work will be completed by the Council and the cost for the works plus any

administrative fees will be charged and apportioned equitably. In diagram 3, a blockage at point Z would probably be apportioned between all six owners / occupiers whereas a blockage at point Y between owners/occupiers of houses 4,5,6.

- For more serious drainage defects, a Building Act 1984, Section 59 Notice would require you together with the other affected persons to repair damaged parts of a private sewer. The Notice or covering letter will indicate all other parties involved. If the notice is not complied with, the work will be completed by the Council and the cost plus any administrative fees will be charged. Rights of appeal are also sent out within this notice.

Problems relating to public sewers must be dealt with by Southern Water Ltd. **0845-278-0845**

Should you require further information please contact the Pollution Team at: -

Environment & Safety Directorate,
Century House, 100 Menzies Road,
St Leonards-on-Sea, TN38 9BB
01424 783228



Private Sewers and Drains A Householder Guide



...Making the Difference...

PUBLIC OR PRIVATE?

The underground pipe for foul, sullage and/or rain water that exits your house is called a drain. If this drain then joins a drain from another property, the pipe becomes a sewer from that junction onwards.

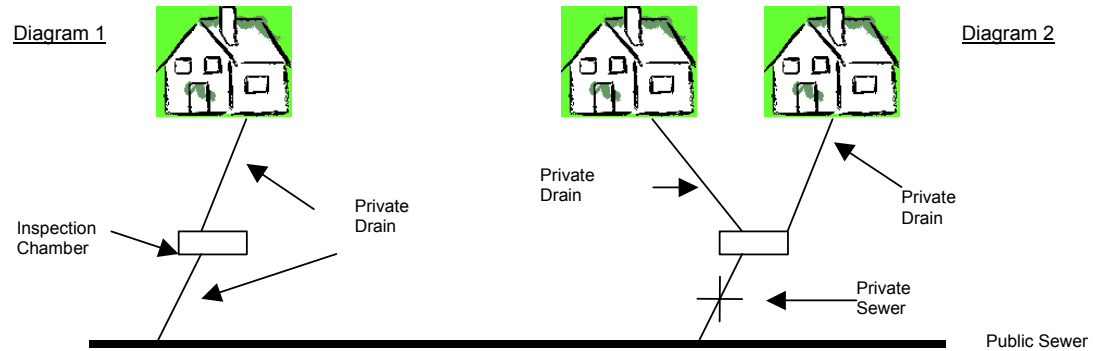
Responsibilities for unblocking or repairing problem sections of sewer depend upon whether or not it is classed as 'PUBLIC' or 'PRIVATE' – however this not always easy to determine.

Public sewers are those that have been adopted by the sewerage undertaker (eg Southern Water or their statutory predecessor) and, once adopted, cleaning and maintenance of that sewer is their responsibility. Plans of all such sewers are held by the sewerage undertaker, and may be available for viewing at the Council offices at Century House.

Sewers built privately before 1 October 1937 are known as 'Section 24 sewers' and are now effectively public sewers. Conversely sewers built after that date remain privately owned, ie in the joint ownership of the beneficiaries.

A private sewer is a sewer that has not been adopted by a sewerage undertaker, and therefore it is the responsibility of the persons who use the sewer to clear blockages or repair damage.

- The fact that a sewer is located under a public road does NOT mean that it is a public sewer.
- Some public sewers can be found within the grounds (curtilage) of a private dwelling.



Your household drain may flow straight into a public sewer (diagram 1). If a blockage occurs anyway in this private drain, you have sole responsibility for cleaning any blockages or carrying out any repairs. Most properties have some length of private drain.

Drains from two properties may join together and form a private sewer, and then run some distance before connecting with the public sewer (diagram 2). If a blockage or defect occurs at point + in the private sewer system (diagram 2), the owners of the two properties would be responsible for rectifying this problem.

- Note that the boundary of the property does not indicate the end of your responsibility.

Diagram 3 below shows how all the drains from adjacent modern houses might link up. In some cases, the drains from an entire estate may join a private sewer system before linking up with the public sewer, and this could be some considerable distance.

