

A new approach to reclassifying publicly owned sewers and privately-owned watercourses where records appear to be incorrect

## Introduction

- Understanding who has responsibility for drainage assets is key to ensuring that they can be properly maintained. Water and sewerage companies for example only have legal powers to maintain assets which are defined in law as “sewers”. Assets which are not sewers are likely to be the responsibility of the landowner whose land is crossed by the pipe, culvert or other asset.
- Water companies have a statutory duty to maintain sewer maps but despite extensive mapping of drainage assets, errors can occur with sewers classified as watercourses and vice versa. These errors can cause uncertainty and delay in resolving problems which arise with such assets. If the infrastructure collapses or a blockage occurs which risks flooding neighbouring properties, it is important to know who can be called upon to deal with the problem.
- These issues of classification have sometimes been contentious given the liabilities that may be involved in ownership. In conjunction with a wide range of interested parties, Water UK, the trade association for the water sector, has developed a protocol that should be followed by all parties in cases where the correct classification of an asset is unclear and where the records may need to be amended. It is available [here](#).
- Water and sewerage companies will be reviewing their processes so that they can comply with the protocol with effect from 1 February 2019.
- The adoption of this protocol does not signal any change in water companies’ policies towards this issue but is rather an attempt to reduce the opportunity for conflict.
- Equally, the introduction of this new approach does not affect any decisions that may have been made in the past about the responsibility for particular assets.
- Water companies and the group of local authorities and other parties who have been involved in the development of the protocol believe that the following groups need to be aware of the protocol:
  - Local Planning and Local Lead and Flood Authorities
  - Town and Parish Councils
  - Property lawyers
  - Land owner organisations such as the CLA and NFU
  - Drainage authorities
  - The Environment Agency

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