

Sewerage Asset Adoption Work: August 2018

This questionnaire relates to the sewerage asset adoption work. It has been prepared following discussions between water companies and developer customers and we will use its findings to shape the programme of work we are undertaking.

Replies via the IPG Group

	D1	D2	D3	D4	D5	D6	D7	D8	D9	D10	D11
<p><b>1 Are there areas of the current sewerage adoption arrangements that you consider to work well? Please specify what these are.</b></p>	<p>The bonding provisions seem sensible albeit the recent policy change in some authorities to no longer accept cash deposits instead of bonds seems questionable.</p>	<p>No</p>	<p>Some of the information being produced recently by the adopting authorities is improving. They are trying to standardise their approach within their own adopting teams which is good. I can't say it is working well yet but time will tell</p>	<p>The application forms have improved recently and reviews of the initial submission information is turned around more efficiently, which allows the technical review process to start more promptly.</p>	<p>Unfortunately my recent experience has been limited only for the fact that my company at present have been doing more private rather than adoption schemes. For those that I have been involved in though, the process is overall reasonably straightforward. I believe this though to be more down to the sewerage undertaker in our area (UU) who are all most helpful and also for the fact that I have been doing this job for a while and know how things work.</p>	<p>1) Technical vetting of proposed sewerage, and understanding the need for site-specific flexibility of approaches. 2) Standards for pumping stations.</p>	<p>No comments on the questions</p>	<p>As a consultant, we generally only stay involved with the process from initial concept design (pre-planning) through to technical approval (post-planning). The general process works well: pre-development enquiry, adoption design submission, feedback from the water company, re-submission and hopefully technical approval.</p>	<p>Inspections and getting the sewers signed off by the local inspector</p>	<p>No comments on the questions</p>	<p>Good level of communication from UU, however responses to correspondence seem to be made on the final day of the anticipated response times given.</p>
<p><b>2 Are there areas of the current sewerage adoption arrangements that do not work well? Please specify what these are and if possible address the question why formal adoption agreements are often not signed before or soon after work begins.</b></p>	<p>Main issues are around process and timescales in arranging inspections and sign offs of works. The requirement for a detailed planning consent for residential or development units on strategic sites to be in place before sewer and mains designs can progressed makes designing of roads and strategic infrastructure very difficult. Full engagement prior to outline consent being granted would be much more useful and it would avoid delays and extra costs/uncertainty later on. The delay to adopting/avesting drainage below infrastructure roads until such time as notional flow rates have been achieved is very difficult insofar as it delays road adoptions taking place increasing development costs (inc bond costs)</p>	<p>Confusion of SFA v7 Lack of continuity between water companies Poor response rates Poor level of service and timing regarding Water Company legal department. Standard response to a S106 Notice to Connect to the public sewer is responded with (usually) you have permission to connect but not to discharge due to insufficient capacity in the network. Lawyers representing the adopting authorities do not act in a timely manner</p>	<p>There is no facility for innovation built in to the arrangements. The process has been built around rules that were put in place years ago and do not allow for modern sustainable design or innovation in material. Such examples are, onerous restrictions on the use of plastic besides them being successfully used around the world, the incompatibility with SuDs, and targets like storing 1 in 30 volumes in the adopted system only with no back flow to private when flooding should be considered across the entire site and study up to the 1 in 100+ CC. Regarding the 1 in 30 year volume, this is applied in a ridiculous way. If section 42 was fully enacted then the volume is over all shared drainage, but as it is not enacted, then we effectively have to ignore often over half the shared drainage. To ignore this volume just results in adding expense for arbitrary reasons. Some sewerage companies impose stricter protocols than are set out by the SFA guidance. Some of these seem to be arbitrary rules based on tradition rather than addressing actual practical reasons. Some of these are contradictory such as the rules in place by United Utilities manhole detail dimensions, in particular there is a rule of minimum channel length and if there is</p>	<p>The current issues largely relate to the requirements of the Lead Local Flood Authorities for SuDs best practice to be implemented, whereas there are limitations on the strict different water authorities will adopt upstream and downstream of these features. There are also changes in adoption policy that can occur part way through drainage being built (such as drainage upstream of a soakaways being adoptable, then suddenly not, which fundamentally alters the scheme's viability). Regarding why S104 agreements are often not signed before or soon after work begins, in our experience this is due to the speed of development we find with major housebuilders who are often tendering the design drawings before the planning process is complete and expect to start on site within weeks of planning being granted, which does not leave sufficient time for the technical approval process to be worked through. A more expensive fast track S104 service offering may help to resolve this.</p>	<p>Sometimes I do find the process intensive in relation to the time taken in having to get through them and provide information. There is also an issue sometimes between the difference in personnel that deal with the site at the undertaker. Some are more picky whilst others not so. The issue over timing of the signing of agreements is one created by a system implemented by busy people and departments. Developers put in for planning and as soon as it is granted want to commence works asap. We not only need to generate money we are being pushed by Government to provide more houses. Developers have to determine when to push the button on detailed design without risk of abortive work. However there are issues with the planning process in that drainage will in most cases be a condition and that the planning authority will take an age to decide upon. This is especially important where drainage is also to be adopted and the stat undertaker at the same time as works being approved through planning are being approved by the stat. I) developers have to get the design to a stage suitable for approval. The number of suitable able to get it right first time engineers is low and the skills needed to get the designs are in shortage. In shortage are also engineers at the developer side able to critically check designs before submission.</p>	<p>Legal matters associated with the Agreement are seen to take too long, possibly stifling development, and prompting construction ahead of an Agreement in place. Is it possible to support the formation of an Agreement by Planning law? This would make an (unwelcome) shift in timescale pre-planning but should ensure Agreements are in place prior to construction.</p>	<p>From a consultancy point of view, having developers start works on site prior to having any sort of adoption technical approval in place can put us in a difficult position, e.g. having to redesign schemes to suit what is in the ground but to also comply with the local water authority requirements – sometimes this isn't possible due to site constraints and the developer will be unhappy because large costs could be incurred to re-lay sewers, etc. In order to get an agreement signed off, developers should be forced somehow to wait until technical approval is in place first prior to starting works on site. We generally have one main document for use as guidance when designing adoptable drainage networks, Sewers for Adoption. However, where this doesn't work well is the different requirements water authorities have all over the country. For example, some water authorities preclude the use of backdrops whereas other will allow them. Applying a standard design guide across the country would be beneficial instead of having different water companies implementing their own standards. From a pre-planning perspective, the cost for obtaining advice is too varied, along with the timescales for feedback. This is especially true for obtaining feasibility study information studies to assess available capacity in existing drainage networks) which</p>	<p>Large disparities in gaining technical approval on designs depending on which UU Design Engineer is assigned to the site Legal agreements are not drawn up/signed quick enough once (if) TA is received. This holds up our S106 agreements which we cannot sign until a signed S104 agreement is received Unable to pay inspection fees without TA No consistency between local inspectors when it comes to inspecting construction works and the quality they expect</p>	<p>Delays in progressing adoption agreements due to information not being reviewed from the initial submission and a typical response asking for additional information which has already been submitted. This increases the development timescales on projects and abortive works due to repeating information which has already been issued.</p>		
<p><b>3 If you could make five changes to the current arrangements for the adoption of sewerage assets, what would these be?</b></p>	<p>Remove the requirement for a specific level of flow to be connected before adoption takes place</p>	<p>Clear process guidelines after process simplification. Single agreement or process to cover all elements. Transparent SLA's that were monitored and adhered too. Speedier legal process Single point of contact / empowered to progress matter in a timely manner</p>	<p>Introduce further stages of review – Pre-development for the setting of the flow rates, then another step to look at, comment on and agree in principle the layout/strategy, then a final set to agree the detailed design which then gives technical approval. We need detailed feedback earlier, not generic responses. Provide a suite of typical / example approved submission information so that 1. The preparing engineers know what is needed, &amp; 2. The adopting engineers use the same standards to review. Standardise the information needed. Some authorities need 1 in 20 manhole details, others don't. SFA sets out the minimum manhole diameters so this is an unnecessary step, only giving a further stage to introduce arbitrary and contradictory rules. Have a standard central list of approved material and suppliers. At the moment, if something is known to be adoptable in one area, it isn't necessarily adoptable in another. This can't be too hard to do though I'm sure some authorities could make this difficult. Only standard rules in all areas, or variations listed in SFA. Currently some authorities maintain separate lists of additional rules, some which contradict SFA.</p>	<p>As per the intentions of this new code, a harmonised framework across water authorities would simplify the process and use of standard details.</p>	<p>Improve tech approval timescales with a consistent approach, improve the ability for the stats to adopt more available options for suDs (ponds, crates etc). Improve legal timescales, remove the maintenance period to enable adoption on completion.</p>	<p>1) Point of connection with public sewerage agreed prior to planning approval and made a planning condition; 2) Independent certification of potentially adoptable sewerage construction rather than 'self-certification' by developer; 3) Proof that as-constructed sewerage is capable of performance by evidence of CCTV and of hydraulic model; 4) Confirmation from sewerage undertaker that proposed sewerage cannot be extended to reduce capacity/flooding/fest-time sewerage needs elsewhere in drainage catchment; 5) Improve the front cover of SFA.</p>	<p>1. Provide a live online database which gives information on available network capacity, invert level/pipe size and type details, future asset schemes planned as part of the AMP cycle, etc. 2. Enable Statge contact with the dedicated adoptions engineer assigned to a particular scheme. 3. Omit the need for multiple paper copies of adoption drawings... everything should be electronic! 4. Where information on existing assets is limited, the water company should obtain the information by survey themselves, at cost to the developer. It's too easy for a third party survey company to provide unreliable data which can delay the design process. If the water companies took control of this aspect they would have their own vetting process and should be able to rely on the data being issued by the survey team. 5. Sometimes, the feedback from water companies when assessing adoption submissions is very vague. We don't expect our hands to be held when we design adoptable schemes but a more direct steer on what the water company requires would be beneficial and would help prevent delays in the design process. This is where perhaps a standard design guide across the country would help.</p>	<p>Speed up the legal agreement process</p>	<p>No reply to questions just contact details</p>	<p>1. Consistent approach and guidance through from submission, agreement to adoption. 2. Better communication between the LFA and UU. 3. Initial submission to be reviewed fully. 4. Abortive works to be removed such as 1 to 20 manhole details, unless they are a non-standard arrangement. 5. Better communication between the legal team and adoption team.</p>	

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<p>4 At present, adoption may not occur because the water company has a discretion not to adopt where the works are sub-standard. Would you be in favour of changing to a regime under which completion of the vesting of the sewerage assets was made compulsory once you had entered into a contract? Any remedial works carried out by the water company would be chargeable to the developer. Are there other changes to the current procedure or legal agreement that would help guarantee the completion of sewer adoption?</p>	<p>Subject to the detail of how any such system operates, we would be in favour of this compulsory vesting.</p> <p>One other change would be for a set timetable to be in place for approvals to be issued to the completion of works and start of maintenance periods with silence being deemed assent.</p>	<p>I would not be in favour of this. This opens the door to charges without justification. Developers should be accountable for completing works. Water Companies should be accountable for inspecting and offering commentary and legal agreements / Certificates in a timely fashion.</p>	<p>Yes. The adopting authority should complete the adoption. It is reasonable for them to complete and re-charge the additional remediation costs. It should however, only be considered remedial if there is an impact on function. Again, the adopting engineer's personal preference should not be a reason not to adopt.</p>	<p>As consultants we do not necessarily get involved in issues with build quality and rarely do we hear of such designs not to adopt occurring (unless a developer/growndrainer goes into administration), however generally if drainage is not adopted then the highways above cannot be adopted and as such this leads to issues we inevitably get involved in, so any mechanism to prevent this occurring would benefit us.</p>	<p>Was not aware that they could change their mind once a I04 was signed and thought it was binding. Of course if works are substandard developer rectifies or proves the stat wrong. Would not be in favour of stat post adoption remedies as quite simply their costs for such works are crazy as contractor costs through their system are not competitive with the open market the developer would live in. Reduce or eliminate maintenance period as noted above. This would work if the agreements were binding on a start on site.</p>	<p>I am not in favour of compulsory adoption but I can see the customer benefit in doing so. If there are sub-standard works then the communication of flow should be stopped off as per Section 106. Maintain a voluntary adoption agreement, but need to explore an improved retrospective adoption agreement for already installed sewerage. Consider increasing the retention value, and adjust timescales for (1) completion, and (2) period of maintenance, in order to concentrate a developer's focus.</p>	<p>We don't generally get involved with this aspect of the adoption process.</p>		<p>Substandard works are for the original contractor to rectify at no additional cost to the developer, and we do not usually encounter any problems with getting the contractors back to carry these out. Whilst allowing UU to carry these out may get the sewers adopted in a more timely manner, the developer would then have to recover the cost of these works back from the original contractor</p>	<p>No, should be an issue between the developer and the contractor.</p>	
<p>5 Is there anything else you would like to bring to Water UK's attention in connection with the current work?</p>		<p>There is currently a gap in shallow manholes, where lack of depth restricts man entry, and one Water board is requiring double covers, which is not acceptable to the Highways Authority.</p> <p>Most Water Authorities need to get their act together regarding clarity on infrastructure arrangements not just for 18/19 but beyond. Please do not seek to impose Gwentian conditions any more as infrastructure improvements are your responsibility. Do not either try to offer dodgy consent to connect without offering the ability to discharge.</p>	<p>The whole industry around sewer adoption is way too onerous and cost heavy. There is too much unnecessary layers of bureaucracy and ridiculous rules. Drainage should be simple and promote natural systems. The current set of rules do not promote natural drainage but artificial systems which are easier to quantify and define legally. The SA is set up like this to benefit a private drainage company systems and goes against the simple principles of SuDS. Ideally, the system should be scrapped and replaced by something that is run on the principles of SuDS that is for full benefit of the public. Surface water needs better consideration that is different to foul of combined.</p>	<p>In an ideal world, more involvement by Water Authorities in the planning process would be beneficial as of present they do not provide input on many developments to highlight the deficiencies in the drainage/attenuation design that then get picked post planning in the detailed design, generally leading to loss of development or significantly higher costs. This could possibly be resolved by requesting a standard form is issued which sets out runoff rates for the site, the developed area of site and volumes of attenuation required, which would have to be signed off by the Water Authority and LLFA during planning.</p>	<p>Please include me in future dealings.</p>	<p>1) Regional variations in standards between sewerage undertakers; 2) Clear differences becoming apparent between Welsh and English areas.</p>	<p>No.</p>		<p>No answer provided</p>	<p>We get the impression that UU have not got enough resources to progress the agreements around any faster.</p>	

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	D12	D13	D14	D15	D16	Keir Group	Taylor Wimpey	D17	D18	Galford Try	D19	D20
1 Are there areas of the current sewerage adoption arrangements that you consider to work well? Please specify what these are.	Depending on the Water Company, but a level of flexibility in the approach to the adoption process.	Only contact details provided no answers to the five questions	Early start agreements with UU are particularly useful, where Technical Approval has been obtained but the Legal process is delaying matters.	This question pre-supposes that there are "adoption arrangements" in place and clearly defined. In my experience there are not, so to draw out what works well is difficult. However, in recent years the undertaker has chosen to put in place a single point of contact for my organisation a role that manages all aspects and milestones to get an existing sewerage asset adopted. That role has also been available to visit sites and take direct responsibility for resolving issues through discussion with teams internal to the undertaker. In the six sites transferred we have had a process of identifying what improvement works are required and this list being appended to an "intent to adopt" letter being received from the undertaker. Although a large effort on every site, in the absence of a written specification of undertaker requirements it has enabled us to upgrade sites ready for adoption	Replies awaited			Left blank	As long as the design/technical approval & section agreement requirements are followed and the costs are agreed, the system works well. Site inspections commence prior to the agreements, they know our subcontractors & we have a good working relationship with Northumbrian Water.  This varies from Authority to Authority and individual to individual, some are very good from an administration perspective and get agreements in place quickly but the delays often relate to final inspections		<ul style="list-style-type: none"> <li>Currently we use a representative from Southern Water (Samantha) who acts as an in-between us and Southern Water. This has its positives purposes, however could be ironed out to be better suited to help the developer.</li> <li>The adoption requirements are set out clearly by Southern Water.</li> </ul>	The S104 process is generally straight forward and works well.
2 Are there areas of the current sewerage adoption arrangements that do not work well? Please specify what these are and if possible address the question why formal adoption agreements are often not signed before or soon after work begins.	Timescale for received comments from the Water Companies, availability. It takes weeks and months to agree anything forcing our clients to start construction before the approval is granted.		One of the biggest issues is dealing with the volume of stormwater storage beyond the 30yrP adoption criteria up to the 100yr+CC scenario required to satisfy planning. The multiple interconnected systems that are normal part-private, part-adopted introduce more modes of failure and increases risk and responsibility to homeowners who are often unaware of their individual or shared responsibility. These also generally increase land take and reduce viability of schemes which ultimately impacts on affordability	<ul style="list-style-type: none"> <li>Again in respect of S102 and in my experience there are no consolidated and published requirements for an adoptable sewerage asset. Similarly there isn't a process identifying the steps from first application through to legal transfer. Having successfully transferred six sewerage assets to an undertaker (the same undertaker) under S102, we have by default established an un written process.</li> <li>In the 10 years that I have been the single resource managing sewerage asset adoption for my organisation but I have dealt with nine different people within the same undertaker. This is not because those people have left the undertaker, but more so because the undertaker has no clear strategy on resourcing in respect of sewerage asset adoption and the relationship with a developer. What then happens as is the case with myself, the developer has to educate the undertaker in how they need to execute requests for sewerage asset adoption</li> <li>The undertaker attempts to manage aspects of sewerage asset adoption through the same teams that manage their own sewerage assets, but this serves only to add undue constraints. A most recent example of this has been in respect of sewerage asset performance (treatment to an EA consent permit) whereby the undertaker tasks the developer to meet its own standards rather than those set by the EA.</li> <li>There are no targets or communication timelines that set out how long matters will take in a typical sewerage asset adoption process. This inevitably means that the undertaker, given the points above, takes too long to deal with the steps, resulting in the developer having to constantly expedite matters</li> </ul>				Not placing onto maintenance at practical completion. Why can this not happen? If at practical completion an audit, CCTV and visual inspection takes place why can maintenance not start? As after the 12 month period has completed the sewers will be in operation, we will still have retention on the contractor so make any remedial works easier and the water company will not have any risk at that time and still have the power not to vent at this stage if there are issues they are not content with	<p>Yes. There are 2 main sewer adoption undertakers within this region, Thames Water and Southern Water and SW seem to be the worst. In general, obtaining a Technical Approval can be gained without too long a wait, but getting an Agreement drafted does take an excessive length of time and so these are not signed before work begins. The longest period experienced presently is over 3 years with SW having the details and payment in November 2015 and still there is no sign of any draft Agreement. TW are not far behind with an Agreement being negotiated prior to my commencement with PHT in April 2015 and not being executed until August 2016.</p> <p>We need the sewer authority, wherever possible, to use our build costs (sewers &amp; manholes) from the Roads &amp; Sewers agreed contract. Also Section 185 agreement fees at 10% of the bond/construction value are too high.</p> <p>The biggest problem is lack of consistency between adopting Authorities as they all have their own addendum requirements and it is a mixed bag between those using SFA 6 and SFA 7.</p>	<ul style="list-style-type: none"> <li>Can take a very long time to turn around applications.</li> <li>Limited information provided with regards to proposed timelines of Southern Water's side of the project and any further information they require.</li> <li>Very little possibility of being able to contact the right member at Southern Water i.e the member of staff acting upon a job.</li> </ul>	The S104 process is now hampered by the M&E approval of pumping stations which has proven to take an extremely long time on recent schemes. In addition we find that the S104 process, although still generally good is now policed tightly in line with UU internal guidelines as opposed to the more common sense and pragmatic approach that was taken previously. This seems to be linked closely to the loss of numerous experienced members of the wastewater adoptions teams who were very able to and comfortable with interpreting the guidelines to deliver a sensible solution. These are after all guidelines and not legislation. The S98 process is very problematic. We are currently undertaking about to start there on the basis of clarity, process, developers to allow us to understand what is going to change and how we can be more confident to utilise this section of the Water Act to help deliver development opportunities. We recently experienced a very long delay in the adoption of a site with a pump station, simply because UU hadn't sorted out their internal processes of signing over the telemetry monitoring. We should not experience delays in such instances and I again points towards the pump station elements of the approval / adoption process as a bottleneck. With regard to early start on site, the tech approval process does seem to have slowed down to some degree for some of the reasons highlighted above. We have also noted significant increase in the time taken by the UU legal dept to produce legal documents.	
3 If you could make five changes to the current arrangements for the adoption of sewerage assets, what would these be?	One week for the full response to the submission No additional comments/changes made later on during the process More flexible approach in the adoption process (for example reduced assessment) Not arguing with the approved planning drawings Making any required comments during the planning stage not the detail design.		<ol style="list-style-type: none"> <li>Design storm event should be the 100yr+CC event to align with the NPPF, not necessarily cater for this wholly below ground, but scrapping the 30yrP criteria.</li> <li>The water companies should have to take the run-off from highway or private driveways not use it as a battering tool when it comes to agreeing rates of run-off (I appreciate this is the Water Industry Act rather than SFA).</li> <li>More design guidance for Flow Control manholes, the currently accepted solutions vary significantly from one water company to the next, a more standardised approach would assist.</li> <li>More standardisation in terms of pumped solutions and less addendums</li> <li>UU currently require 1:20 manhole benching construction details for every PCC manhole chamber, this allows accurate sizing to account for lateral connections, gullies and the upstream pipe resulting often in manholes significantly larger than if sized using the SFA table. I would actually advocate this approach as it means manholes are sized more appropriately with benching more carefully considered, it would also reduce the amount of remedial work required as the arrangement has been agreed at the design stage rather than a site-based contractor decision.</li> </ol>	<ol style="list-style-type: none"> <li>Clearly defined and published sewerage asset requirements for S102 adoption.</li> <li>Clearly defined and published process for sewerage asset S102 adoption.</li> <li>That the undertaker to provide adequate resources and experience to item b above</li> <li>SLA in place to ensure developers receive timely communications from undertakers.</li> <li>Undertakers use only performance requirements for an asset as defined by the Environment Agency, when assessing an asset for adoption.</li> </ol>			As above and change the present system of how we book an inspection by using direct contact not through a call centre as the present is very unuseable. If the larger developers who have far more contact with the water authority could have a dedicated business contact.	<p>Make all sewers when laid the responsibility of the undertaker whether they have been inspected or not, which would give them an incentive to act quickly. This would be followed on from the implementation of S42 of the Flood and Water Management Act which resolved many problems for developers in 2011. As Agreements are usually in standard form, there is no reason why these cannot be completed simply, such as with an application form following the issue of the TA. As undertakers can adopt via S102 anyway, there is no reason why this could not occur.</p> <p>More inspections when the sewers are getting built</p> <p>The water company should undertake CCTV inspections.</p> <p>One set of standards across all adopting authorities</p> <p>Linked S104 and S106 connection approvals</p> <p>The sewerage adopting authority having rights to grant connections into water courses (this is often a major cause for adoption of sewers where the land drainage consent has not been approved)</p> <p>A more pragmatic and consistent approach to SUD's and their adoption</p>	<ul style="list-style-type: none"> <li>Online portal to see the current status of applications and further information which is required.</li> <li>Online mapping, i.e subscription based service to view sewerage water mapping.</li> <li>More open communication to be able to speak with right technical staff at Southern Water rather than just the representative, i.e employing more technical members.</li> <li>Meetings at planning level with regards to S98, S104 options. Especially with the new SFA Bth being released. This is to set a scheme at an earlier stage.</li> <li>Applications to be processed faster and communicated better. Thames Water provide a very good service so would be worth looking at their scheme.</li> </ul>	No requirement for a hard copy of H&S files / as built drawings. (Etc info is far easier. Better timescales for the approval of drawings and pump stations. Preferred developer status to allow developers who are able to prove financial stability to enter S104 agreements without the need for a bond. This happens within other water company areas. Holding off from adopting sewers because roads are not final surfaced. This really does cause issue without any reason. Clear correspondence to back up discussions / remedial works undertaken on site. This seems to be contained within the minds of the contractor and specific UU inspector and when both are unavailable it makes it very hard to understand any outstanding requirements.		

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<p>4 At present, adoption may not occur because the water company has a discretion not to adopt where the works are sub-standard. Would you be in favour of changing to a regime under which completion of the vesting of the sewerage assets was made compulsory once you had entered into a contract? Any remedial works carried out by the water company would be chargeable to the developer. Are there other changes to the current procedure or legal agreement that would help guarantee the completion of sewer adoption?</p>	<p>As above, the most important will be very quick turnover and not adding/changing comments plus approval of the planning drawings. I don't think that the vesting should be compulsory, but Water Companies should be helpful in the adoption process.</p>		<p>No strong opinion either way</p>	<p>At present, adoption may not occur because the water company has a discretion not to adopt where the works are sub-standard. Would you be in favour of changing to a regime under which completion of the vesting of the sewerage assets was made compulsory once you had entered into a contract. Any remedial works carried out by the water company would be chargeable to the developer. Are there other changes to the current procedure or legal agreement that would help guarantee the completion of sewer adoption?</p> <p>Again in respect of S102 (and in my experience) this requires a different approach, namely the asset which would be existing requires surveying in accordance with the undertakers published specification. The survey would identify a list of works that would need completing (by the developer) in order that the asset could be transferred in the future. The undertaker and developer discuss and reach agreement to undertake the work, and the works list is then appended to the "system to adopt letter" from the undertaker. This not a legal agreement as per S104. This process has been successful in the transfer of six sites to the undertaker</p>				<p>This would not work as the water companies framework costs are not commercially viable in the open market. If as I have said at point 2 the sewers are put on maintenance at practical completion there would unlikely be any remedials and if there were we would have not paid the contractor at the stage so there is more impetus on the contractor to sort any defects, also inspecting a clean sewer line is far more practical than one that is in full use in the middle of a building site.</p>	<p>Most of the remedials are down to the Roads/Sewers contractor and part of their contract i.e. should not cost us anything. Also, the Water Authority will use expensive subcontractors to do the works.</p> <p>Our main experience in delayed adoptions is either poor workmanship from the groundworker or getting the CCTV surveys etc</p>		<ul style="list-style-type: none"> <li>With the introduction of SFA 8<sup>th</sup> Ed. And the introduction of more SUDS techniques being able to be adopted there will be a period where the SFA 8<sup>th</sup> will be interpreted differently between the developers and Southern Water.</li> <li>If the SFA was made a lot less open to interpretation there could be an option to enter into a contract. Almost need a quality control system where developers/contractors who have been previously approved on schemes require less checking by Southern Water as they have previously been approved on previous work.</li> </ul>	<p>This is something that the S104 already permits and is covered by the bonded amount which UU would call upon to complete the works. The ability for UU to complete the works and charge the developer would need to be policed tightly and be realistic as often sewers cannot be adopted due to other phases by other developers etc. In reality I think UU would struggle to police this.</p>
<p>5 Is there anything else you would like to bring to Water UK's attention in connection with the current work?</p>	<p>I have seen draft version of SFA 8th and I agree that Water Companies should be forced to adopt SUDS, however I think that including all private drainage within compulsory adoption is wrong.</p>		<p>No answer</p>	<p>As can be seen in my feedback to these questions, S102 and S104 require different approaches, existing assets and new to be built assets should be require different considerations.</p>				<p>Left blank</p>	<p>Sewerage Undertakers are avoiding adoptions as much as possible and delays in the issue of draft Agreements and even executing Agreements are very slow and seem to support this. Also, even where Agreements are in place, getting an inspection by an undertaker or getting sewers adopted also takes a longer period of time than there should be.</p> <p>Requisition costs are too high.</p> <p>The Authorities records of inspections can often be poor leading to delays in adoption and could be improved</p>		<ul style="list-style-type: none"> <li>We believe that regular meetings to keep the developers update of the water bodies intentions are, are important.</li> </ul>	<p>Nothing</p>

Sewerage Asset Adoption Work: August 2018

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	D21	Willmott Dixon	Crest Nicholson	Countryside Properties	D22	D23	Mears	D24	Places for People	L&Q Group	Cala	Ballymore
1 Are there areas of the current sewerage adoption arrangements that you consider to work well? Please specify what these are.	Our close working relationship with South West Water (SWW) has been enhanced, as we now have a dedicated point of contact within the Developer Services team for our adoption enquiries, and this has helped from a communication perspective. We are lucky enough to be located close to their offices, which helps as we have plenty of opportunity to meet face to face, whether that be formally or on an ad hoc basis as problems arise. Their team is usually happy to offer pre-application guidance if required, and their inspectors will leave a record on site of any issues encountered on their visit. It would be useful if this could also be copied to our Adoptions Manager in a timely manner.				The most important aspect of the current arrangements is that there is a standard agreement in the first place. No specific comments were made.	No answer		<ul style="list-style-type: none"> <li>Model agreement to allow Legal Agreement process can proceed swiftly following Technical approval has the potential to avoid delays.</li> <li>Simplified version of SFA for small sites was also a welcome addition.</li> </ul>				
2 Are there areas of the current sewerage adoption arrangements that do not work well? Please specify what these are and if possible address the question why formal adoption agreements are often not signed before or soon after work begins.	It is not helpful that SWW will not technically audit schemes until there is a positive likelihood of them gaining Reserve Matters planning permission; they will only normally start the auditing process once we can give them an expected planning permission date which is less than one month away, and then we do have problems if planning isn't achieved in this timescale. This planning delay is normally caused because of the time it takes to complete the S106 legal agreement, and it would be helpful if the sewer adoption TA process could commence in parallel with this, as once we have planning approval we will start on site immediately and any sewers will be being installed at risk. We are also finding that it can take months for the S104 agreement to be agreed by all parties and be signed and in place (particularly if a third party is involved); we regularly pay SWW advance inspection fees to ensure that in these circumstances the sewers do get inspected. As per item 1 above, timescales on receiving back reports/remedial lists from site visits could be improved, as well as timescales for receiving certification upon completion of agreements.				<p>Technical approval is too slow and there is often an inconsistent approach taken between different offices.</p> <p>a. Target timescales should be provided for technical approval to be given.</p> <p>b. Detailed commentary should be provided for each drawing submission rather than the seemingly "cut-and-paste" approach which is becoming commonplace.</p> <p>c. As to adoption agreements being signed late, this is often due to insufficient time being available to respond to comments. There is some concern that this part of the process is unregulated, in contrast to other parts which have strict rules.</p> <p>Reducing or preferably eliminating the need to involve solicitors would help, as moving a draft agreement to a signed agreement is where many delays occur. The ideal situation would be to have a master agreement to which site specific technical schedules can be added to define the adoptable works.</p>	Bonds tend to be a big problem for developers, the 5th edition as believed allowed the bond to be cancelled from the maintenance period, however United Utilities are no longer honouring this procedure, this then means that the developer uses the bond facility for longer.		<ul style="list-style-type: none"> <li>The assessment/letting process to obtain technical approval often takes too long where developments need to start on site more quickly.</li> <li>Letter responses not being signed by the Developer Services Engineer.</li> <li>No ownership or proactive involvement for the application through the complete process from start to finish.</li> </ul>				
3 If you could make five changes to the current arrangements for the adoption of sewerage assets, what would these be?	<p>i. For schemes without Reserve Matters planning approval, technical auditing should be commenced at the applicants cost risk.</p> <p>ii. A more practical approach to minimum information requirements i.e. a non-technical document (e.g. a Land Registry plan) which is required for the legal agreement can hold up the technical vetting of an application.</p> <p>iii. Quicker response times to queries / reviewing of the information.</p> <p>iv. SWW technical audit correspondence with our consultants to be copied to our Adoptions Manager.</p> <p>v. SWW Inspector site visit reports to be copied to our Adoptions Manager.</p>				<p>Expediency and practicality should be the focus of adoption:</p> <p>a. Clearly defined time and performance requirements should be given.</p> <p>b. The maintenance period should begin as soon as work is completed and prior to laying of the wearing course.</p> <p>c. The ideal scenario would be to get bonds eliminated for financially secure developers.</p> <p>d. In the event that it is not possible to eliminate bonds entirely, a single standing bond with each water provider to cover all agreements would be preferable to smaller individual bonds put in place on a project-by-project basis.</p>	<p>Allow the bond to be reduced in stages or cancelled earlier, speed up the process of TA when pumping stations are involved, provide confirmation of when sewers can be placed on maintenance when the development is more than 50% occupied as manhole covers are not always installed to the final level, etc. allow sites to be adopted if the downstream sewers have a S104 agreement in place but not yet adopted, some field inspectors will not inspect the development until completion, this needs to be done in stages to allow final surfacing to take place in stages therefore reducing the overall remedial items after roads have been surfaced</p>		<ul style="list-style-type: none"> <li>SFA 7th Ed was incomplete when published particularly Part C which has not adequately addressed the adoption of surface water sewers principally the adoption of SuDS and SABS/LEIA</li> <li>Harmonise to improve the alignment of differences between Water Authorities approach/requirements to adoption.</li> <li>Improve the processes to engage/interact between Water Authorities and designers in the preparation of designs which meet adoption criteria first time to enable Technical approval and legal agreement process to proceed swiftly prior to a start on site. Approval for attenuation devices other than Ponds is particularly challenging and prevents opportunities for innovation.</li> <li>Water Authority to take responsibility with set performance timescales for undertaking pre adoption inspections, CCTV and as-built surveys for automatic adoption.</li> <li>Cooperative approach and liaison over the agreement of standards suitable for adoption of SuDS between Water Authorities and LFA/SABs.</li> </ul>				

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	Willmott Dixon	Crest Nicholson	Countryside Properties	D22	D23	Mears	D24	Places for People	L&Q Group	Cala	Ballymore
<p>4 At present, adoption may not occur because the water company has a discretion not to adopt where the works are sub-standard. Would you be in favour of changing to a regime under which completion of the vesting of the sewerage assets was made compulsory once you had entered into a contract? Any remedial works carried out by the water company would be chargeable to the developer. Are there other changes to the current procedure or legal agreement that would help guarantee the completion of sewer adoption?</p>				<p>Generally viewed as a positive step, as long as contracts are in place with groundworkers to facilitate contracting should remedial works be required. Additionally, a standardised level of information across all water authorities should be implemented to allow developers to follow a consistent approach. It would be beneficial to deal with a single individual at each water authority, and for that individual to act as the key account holder for a developer, dealing exclusively with that developer's agreements.</p>	<p>Construction timescales to be a little more stringent to push those developers that sit on adoptions holding up the upstream adoption</p>		<p>Yes, provided costs were agreeable and did not cause delay.</p>				
<p>5 Is there anything else you would like to bring to Water UK's attention in connection with the current work?</p>	<p>I'm not sure this would be in Redrow Home's interests, unless we could still reserve the right to opt to keep the sewers private? Whilst it could act as leverage when we are trying to get our contractor back to site to complete remedial work, it also leaves us exposed to further expense for works which we would normally expect our ground worker to put right at their expense. We would also need to have written this requirement into our ground worker's tender specification at the time of their appointment.</p> <p>Would it be possible to standardise the SWW S104 agreement? Could we reach a satisfactory legal position whereby once Redrow Homes West Country had accepted the standard SWW terms, each individual site S104 agreement could be accepted without the involvement of solicitors? This is something that if possible from SWW's perspective, I would need to seek guidance from my legal team on!</p>			<p>Concerning the changes to SFA part C and the changes to amend the definition of sewers to include for some SuDS features: Currently sewers are vested with the drainage undertaker. However the new definitions are not clear what will happen with surface features like ponds or swales. Particularly when there is shared land use. E.g. storage basin and POS / play area. It is likely that the undertaker will not take ownership and there is an easement. What additional easements and provision for maintenance access will be required?</p>	<p>When will there be a second pumping station adoption for all pumping stations that do not currently hold S104 agreements</p>		<p>No, we are encouraged to be involved to progress the Code</p>				

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D25	Sanctuary Group	McCarthy & Stone	Keepmoat	Notting Hill Genesis	Galliard Homes	Anchor
<p>1 Are there areas of the current sewerage adoption arrangements that you consider to work well? Please specify what these are.</p>	<p>Providing there is sufficient time the entire system works well.</p>					
<p>2 Are there areas of the current sewerage adoption arrangements that do not work well? Please specify what these are and if possible address the question why formal adoption agreements are often not signed before or soon after work begins.</p>	<p>The system is fine the weakness is with individuals who cause the system to fail, the main areas being legal which can prevent agreements being in place on time.</p>					
<p>3 If you could make five changes to the current arrangements for the adoption of sewerage assets, what would these be?</p>	<p>If a deed of grant is put in place after a plot with an easement is sold then UU now require the plot owner to sign the deed, even if the easement is legally protected in the transfer. On historical sites this is very difficult to do and delays adoption, going forward on new site this should be less of an issue.</p>					

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<p>5 Is there anything else you would like to bring to Water UK's attention in connection with the current work?</p>	<p>The provision of a bond effectively means that the developed has to complete the remedial works anyway so I'm not sure what this would achieve. Are you trying to legislate for rogue developers with this? Accredited contractors would be one idea.</p>					
	<p>I currently deal exclusively with United Utilities and have not really found any major issues with the way things are done, most of the sewer adoption problems I've encountered have been developer based, i.e. information prepared and submitted to late, not submitting correct information, poor work on site or poor legal due diligence, so struggling to suggest how you improve the water authority side of the agreement without first getting all the developers up to standard.</p>					