

	Sewers Misconnections Policy	Version: Final
		Approval Date: June 2023
		Owner: Chief Operating Officer

Policy Summary

This policy applies where a foul system is wrongly connected to a surface water system or where a surface water system is wrongly connected to the foul system.

Where a misconnection is identified when an owner or occupier/developer has put their assets forward for vesting these should be rectified according to the vesting processes.

Policy statements

Scottish Water will work with local authorities, developers and engage with plumbing trade groups to prevent misconnections and proactively identify them in the following circumstances:

- where we are carrying out a project with an environmental quality driver (e.g. bathing waters/ shellfish waters), or
- where they are causing a localised network (flooding) or a pollution issue (EPIs).

Property owners or occupiers are responsible for the maintenance and repair of private drains within their property. Although responsibility lies with the property owner or occupier, Scottish Water will help where possible to resolve the problem as quickly as possible.

- We will be clear on where our ownership ends and a property owner or occupier's responsibility begins with regards to sewer pipes.
- We will be clear on our powers and responsibilities under the Sewerage (Scotland) Act 1968.
- We will clearly set out the options available to a property owner or occupier to resolve the issue.
- We will aim to recover such part of the expenses of the repair as we consider to be equitable.

Following identification of a pollution incident we will carry out an investigation at our expense to try to identify pollution sources. The investigation may involve manhole chamber surveys, CCTV sewer surveys or dye tracing from the properties drained by the sewer. These investigations should eliminate any pollution caused by sewer malfunctions, asset failures and third party activities.

If our investigations reveal a misconnection we will contact the property owner or occupier by letter within 7 working days. We will use clear messages in a customer friendly tone to:

- Inform them of the result of our investigation
- Inform them of the nature and seriousness of the pollution issue
- Clearly explain to the property owner or occupier the issue and the impact of the misconnection
- Explain what happens next
- Provide a Scottish Water contact for them to discuss the issue

- Outline who else they can contact for further advice and information

If after a reasonable timescale (normally 2 months) no contact has been received, or if the property owner or occupier refuses to carry out the rectification, Scottish Water will visit or call the property owner or occupier to help progress rectifications and help gain an understanding of the reasons for the lack of response/action. The severity of the pollution incident is one of a number of factors that will be taken into account when deciding on timescales.

Scottish Water reserves the right to carry out the work within 48 hours of giving the property owner or occupier notice if a serious pollution incident has occurred and seek reimbursement from the property owner or occupier following completion of the work.

As a monopoly provider, Scottish Water cannot recommend a particular company to carry out the work. We will instead direct property owners or occupiers to the registers of approved companies through schemes such as SNIP EF (Scottish and Northern Ireland Plumbing Employers' Federation) or www.watersafe.org.uk

Where a property owner or occupier does not agree to arrange for the necessary rectifications to be made Scottish Water will use our legal powers within the Sewerage (Scotland) Act 1968 to carry out the work and may recover reasonable costs for doing so. This will not include any cost involved in permanent re-instatement to any excavations made or investigation costs. When we have carried out the repair we will re-fill the excavations with the material dug out and ensure that the site is left safe.

We recognise that affordability may be an issue for some property owners or occupiers. However we do not have access to the information on individual property owners or occupiers that would allow us to assess this. If a property owner or occupier has genuine concerns we will ask them to contact Citizens Advice Scotland (CAS) and we will work with CAS to reach a solution acceptable to all parties.