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<b>REPORT TO:</b>	<b>OVERVIEW &amp; SCRUTINY COMMITTEE</b>	<b>AGENDA ITEM: 8</b>
<b>DATE OF MEETING:</b>	<b>25<sup>th</sup> MARCH, 2009</b>	<b>CATEGORY: RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY SERVICES</b>	<b>OPEN PARAGRAPH NO:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>MARK ALFLAT (Ext. 5712)</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>ADOPTION OF HOUSEHOLD DRAINAGE</b>	<b>REF:</b> u:\pmw\commserv\committees\overvie w & scrutiny 25.3.09 - household drainage.doc
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

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## **1.0 Recommendations**

- 1.1 That the Committee note the reply from the Department for Environment, Food and Rural Affairs (Defra) received on the 28<sup>th</sup> February, 2009.
- 1.2 That Officers report back to the Overview and Scrutiny Committee at suitable intervals to inform Members of the progress of the adoption of private sewers and lateral drains.

## **2.0 Purpose of Report**

- 2.1 To inform Members of the response from Defra regarding the letter sent by the Council on the 28<sup>th</sup> January, 2009 to Hazel Blears regarding private sewers.

## **3.0 Detail**

- 3.1 Overview & Scrutiny Committee, as part of their work programme and concern into the non adoption of certain private sewers, requested that the Council write to Hazel Blears and lobby for a change in the legislation.
- 3.2 A letter was sent from the Council on the 28<sup>th</sup> January, 2009 to Hazel Blears requesting that the Government look at adopting all private sewers in view of the problems that it causes to residents who often find themselves in limbo between a Developer and water and sewerage Companies.

- 3.3 Defra have replied (see Annexe 1). The gist of the letter is that from 2011 all existing private sewers and lateral drains should transfer into the ownership of the nine English water and sewerage companies. The Government has also decided that design and construction standards for all new sewers and drains that are proposed to be connected to the public sewage network should be made mandatory and they should automatically be adopted as part of the public system.
- 3.4 Work on drafting the regulations is underway and there will be consultation on these regulations later in 2009.

#### **4.0 Financial Implications**

- 4.1 None to the Council directly.

#### **5.0 Community Implications**

- 5.1 If the legislation is passed by Parliament the residents of South Derbyshire will benefit by the removal of a legal anomaly and unfair repair liabilities.

#### **6.0 Conclusions**

- 6.1 Successful lobbying by South Derbyshire District Council and other Councils has resulted in the Government proposing legislation which should lead to the adoption of all private sewers.