



# Position Statement Provision of Network Reinforcement

## Provision of Infrastructure

We have a statutory duty under [S94 of the Water Industry Act 1991](#) (WIA 1991) to provide and maintain a sewerage system, and to make provision for the emptying of those sewers, such as to ensure that that area is and continues to be effectually drained.

Under [S106 of the WIA 1991](#) there is a right for occupiers and owners of premises to connect to the public sewerage network. This is confirmed by the case of *Barratt Homes Ltd v DWR Cymru Cyfyngedig* (Welsh Water) which found that the right to connect to the public sewer under S106 WIA 1991 is an absolute right subject to the provision of 21 days' notice. A water undertaker is not entitled to reject a S106 connection on the basis of capacity.

There are two main mechanisms for funding new wastewater infrastructure, depending on the purpose that infrastructure is intended to serve.

**Strategic infrastructure** – Business Plan funded through domestic customer bills for assets which serve the wider community or catchment, examples are treatment works, strategic water or sewerage mains and larger pumping stations.

As water and wastewater undertakers are financed only in 5 yearly cycles it is not possible at the beginning of a five year period to plan for all works which may be required for its duration, particularly given the changing nature of development activities and the planning process.

This can create problems for Southern Water in delivering timely solutions to infrastructure constraints and whilst there is a separate statutory regime governing the provision of sewerage and waste water treatment under the WIA 1991, it does not take away the opportunity for a local planning authority to consider the potential impacts, and to ensure that those impacts are adequately mitigated before a development is undertaken. Therefore, local planning authorities should not seek to “second guess” or duplicate the roles and responsibility of the utility company. The WIA therefore provides an opportunity for the local planning authority to work in partnership with the utility company to ensure that the connection to the sewer is properly managed.

**Network reinforcement of local infrastructure** – Funded by charges to, and contributions from developers.

Network Reinforcement is work that needs to be carried out to our existing water or wastewater network to support housing development-related growth. This work is needed to ensure there is enough capacity in the network to ensure the risk of flooding from the existing network does not increase to unacceptable levels.

Network Reinforcement may include the following activity:

- enlarging existing pipes or installing larger new pipes to increase capacity for a specific development, or further expected growth in the future.
- upsizing existing or proposed pumping stations.
- separation of surface water from existing networks to create headroom.
- providing additional connections to improve network capacity under differing network conditions.
- other infrastructure required to provide network capacity for growth resulting from new developments such as Sustainable Drainage Systems (SuDS).

Network Reinforcement work is paid for through a New Infrastructure Charge. Every new property that is connected to our existing network will be subject to this charge payable by the applicant. Details of our [infrastructure charges](#) can be found online.

## How do I establish if Network Reinforcement is required for a development?

To establish if sufficient capacity is available a pre planning enquiry for either water or wastewater can be requested by [making an application online](#).

Alternatively, if an individual or developer applies for planning permission via a local authority our team will undertake this assessment as part of the planning consultation process and the local authority will be informed of the outcome.

## What is the process if Network Reinforcement is required?

If there is insufficient capacity to supply water to a development, or additional foul or surface flows may lead to an increased risk of flooding from the sewer network, any network reinforcement deemed necessary will be provided by Southern Water.

Southern Water and the developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development as it will take time to design and deliver any such reinforcement. It may be possible for some initial dwellings to connect pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required.

We aim to provide any network reinforcement we deem necessary, within 24 months of the date of grant of outline or full planning, for developments not identified as strategic sites in our current business plan. If the design flows from the time of the planning consultation being granted change, for example if they increase or are now to be pumped to our network rather than arrive by gravity, please notify us as we may no longer be able to provide infrastructure within 24 months as the design will need to be adjusted.

Strategic sites are larger developments and will often take longer than 24 months for a full solution to be provided.

Due to the number of developments potentially requiring network reinforcement we do not commence the design process until planning has been granted to avoid expending resources unnecessarily.

If you have any further questions or would like to speak to us, please get in touch at: [southernwaterplanning@southernwater.co.uk](mailto:southernwaterplanning@southernwater.co.uk)

