
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Water Industry (Schemes for Adoption
of Private Sewers) Regulations 2011**

Exempt private sewers and exempt private lateral drains

5.—(1) A private sewer or private lateral drain is exempt for the purposes of a main scheme or a supplementary scheme if that sewer or lateral drain is owned by a railway undertaker⁽¹⁾.

(2) A private sewer or private lateral drain is exempt for the purposes of a main scheme if—

- (a) that sewer or lateral drain is situated on or under Crown land; and
- (b) the sewerage undertaker within whose area that sewer or lateral drain is situated has received notice in writing before 1st July 2011 from the appropriate authority in relation to that land that that sewer or lateral drain should be exempt.

(3) A private sewer or private lateral drain is exempt for the purposes of a supplementary scheme if—

- (a) that sewer or lateral drain is situated on or under Crown land; and
- (b) the sewerage undertaker within whose area that sewer or lateral drain is situated has received notice in writing before the relevant date from the appropriate authority in relation to that land that that sewer or lateral drain should be exempt.

(4) In this regulation “Crown land” means land an interest in which—

- (a) belongs to Her Majesty in right of the Crown; or
- (b) belongs to a government department or is held in trust for Her Majesty for the purposes of a government department.

(5) In this regulation “the appropriate authority” means—

- (a) in the case of land which belongs to Her Majesty in right of the Crown, the Crown Estate Commissioners or other government department having management of the land in question;
- (b) in the case of land which belongs to a government department or is held in trust for Her Majesty for the purposes of a government department, that department.

(1) See section 219(1) of the Water Industry Act 1991 for the definition of “railway undertakers”.