
Changes to legislation: There are currently no known outstanding effects for the Flood and Water Management Act 2010, Paragraph 16. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SUSTAINABLE DRAINAGE

Sewers and roads

- 16 (1) After section 106(1A) of the Water Industry Act 1991 (right to connect to public sewers) insert—

“(1B) The right under subsection (1) is subject to section 106A.”

- (2) After section 106 insert—

“106A Sustainable drainage

- (1) This section applies to a drainage system construction of which required approval under Schedule 3 to the Flood and Water Management Act 2010 (sustainable drainage).

- (2) A person may exercise the right under section 106(1) in respect of surface water only if—

- (a) the construction of the drainage system was approved under that Schedule, and
- (b) the proposals for approval included a proposal for the communication with the public sewer.

- (3) Where subsection (2) is satisfied, the connection may not be refused—

- (a) under section 106(4), or
- (b) on grounds that the drainage system absorbs water from more than one set of premises or sewer, or from land that is neither premises nor a sewer.”

- (3) After section 115(5) of the Water Industry Act 1991 (highway drains and sewers) insert—

“(5A) A sewerage undertaker must accept any use by a highway authority which is in accordance with a drainage system approved under Schedule 3 to the Flood and Water Management Act 2010.”

Commencement Information

- I1** Sch. 3 para. 16 in force at 2.5.2018 for specified purposes for W. by S.I. 2018/557, art. 2(b)
- I2** Sch. 3 para. 16 in force at 7.1.2019 for W. in so far as not already in force by S.I. 2018/557, art. 3(b)

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