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Bath & North East  
Somerset Council

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# **Foul Drainage, systems and responsibility**

**Environmental Protection**



## The Building Act 1984

The Building Act 1984 can be used to deal with unsatisfactory provision for drainage and appliances which are harmful to health or a nuisance. For example: drains, soil pipes, rain water pipes, spouts, sinks or other necessary appliances.

The Council can serve legal notices on the person responsible to ensure that satisfactory drainage provisions are achieved. Should you require further information please contact Environmental Protection on 01225 477551 or by email: [environmental\\_protection@bathnes.gov.uk](mailto:environmental_protection@bathnes.gov.uk)

The purpose of this leaflet is to provide advice on the various types of foul drainage provisions and responsibilities.

### Mains Sewer

If your drain is blocked, your waste will stop going away when you flush your toilet and manholes outside may overflow. There will also probably be a smell.

To determine whether the problem is on a drain that is a public or private sewer and who is responsible, the guidelines below will assist:

- If the property was built before 1st October 1937, and so long as there are two or more properties connected to the length of drain/ sewer affected, it is the responsibility of Wessex Water to clear any problems. Modern alterations to the pipes may alter this.
- For properties built after 1st October 1937, as from 1st October 2011 Wessex Water has become responsible for ownership and maintenance of all shared sewers even on private land and for all drains beyond a private property boundary.

The water authority should be able to identify responsibility for the blocked drains/sewer during a site visit.

To report issues associated with main sewers please contact Wessex Water on 0345 600 4 600 or [operational.enquiries@wessexwater.co.uk](mailto:operational.enquiries@wessexwater.co.uk)

## Cesspools or Cesspits

If you are not on the mains sewer system then you may have a cesspool or cesspit which is a sealed underground storage tank that holds sewage. Sewage enters the tank from the property it serves and is stored there until it is pumped out. There is no provision for a soakaway or drainage field as with a septic tank.

The storage tank needs to be emptied at regular intervals. If the storage tank leaks an approved waste contractor should be contacted to empty it and clear up any waste. Because the cesspit is a sealed unit and requires more frequent emptying it is more prone to having faults, such as failing brickwork due to its age. Other common faults include: sewage leaking because of failing pointing between brickwork and rusted metal along the tank walls.

The Environmental Protection team recommend:

- Regular emptying, desludging and inspections for maintenance from an approved contractor;
- Keep records of inspections and emptying programmes.
- Ensure the storage tank/ system is unable to be accessed by surface or ground water.

## Septic Tanks

A septic tank is a type of biological sewage treatment system. Naturally occurring bacteria break down the solid matter, reducing its volume. The liquids flow out and are discharged via an underground drainage system called a 'soakaway'. Problems may arise when the outlets become clogged with solids and because



the tank has not been emptied regularly, or when a rise in the water table, which can cause to the soakaway becoming flooded and not working properly.

The accumulated solids need only be pumped out occasionally. If it is a shared septic tank system then it is the responsibility of all who drain into it equally to cover emptying and maintenance costs. Problems can occur when the system is not properly maintained and emptied regularly, or if the water table in your area is high or rises.

A septic tank that does not work properly can cause a nuisance, produce unwanted smells and pollute your neighbours water or land.

The tank should ideally be located away from housing and the council's Building Control Team can provide further advice: 01225 477517

The Environmental Protection team recommend:

- Periodic check-ups to ensure structural integrity, i.e. pointing in brick work;
- Regular emptying of tank at least twice a year for liquids and once a year for solids (desludging);
- Use an approved contractor for emptying and maintaining the tank;
- Keep records of inspections and emptying programmes;
- Do not dig or build on your soakaway / drainage field;
- Do not allow rainwater to drain into the tank or surface water to flood the soakaway / drainage field;
- Act immediately if you find a blockage or sign of pollution: smell or pooling of grey-coloured water

## **Package Sewage Treatment Plants**

Package sewage treatment plants are self-contained units for the treatment of sewage / or treating effluent from septic tanks.

Sewage treatment and disposal can be provided by a sewer provider or by a private sewage treatment system. If the package sewage treatment plant is shared between all those who empty into it; it is the responsibility of all who drain into it to equally cover the maintenance and emptying costs. The capacity of the package sewage treatment plant would

determine how many properties are able to drain into the unit.

Package sewage treatment plants are usually only acceptable when connection to the public sewer is not possible.

The Environmental Protection team recommend:

- If the plant serves several properties; set up a management committee to fund ongoing costs of the plant and for maintenance regimes;
- Most package plants need electric power to operate and will require regular desludging, in accordance with the manufactures instructions;
- Contact the Environment Agency for consent to discharge into nearby water courses or into the ground. The consent will specify the volume limits/ quantity for the discharged effluent;
- Get assurances from the manufacturer/ supplier about the reliability of the plant and how well it should perform in your area;
- Contact the Environment Agency for more information on: 03708 506 506.





# Bath & North East Somerset Council Offices

## Opening Hours

### **Bath**

Lewis House  
Manvers Street  
Bath  
BA1 1JG

### **One Stop Shop Opening hours:**

Monday to Thursday 8.30am to 5pm;  
Friday 8.30am to 4.30pm

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### **Keynsham Civic Centre**

Market Walk,  
Keynsham.  
BS31 1FS

### **One Stop Shop Opening Hours:**

Monday, Wednesday and Thursday 8.30am to 5pm;  
Tuesday 8.30am to 6pm;  
Friday 8.30am to 4.30pm;  
Saturday 9am to 4.30pm

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### **Midsomer Norton**

The Hollies,  
Midsomer Norton  
BA3 2DP

### **One Stop Shop Opening Hours:**

Monday, Wednesday and Thursday 8.30am to 5pm;  
Tuesday 9.30am to 5pm;  
Friday 8.30am to 4.30pm

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