

**Developer Services**

Your ref  
Our ref DS6053397  
Name Artur Jaroma  
Phone 0800 009 3921  
Email developer.services@thameswater.co.uk

23 Oct. 18

Dear

**Sewer Diversion under Section 104/116 of the Water Industry Act 1991**

**Site Address: 27 West Street, Haslemere, Surrey, GU27 2AP.**

Thank you for your diversion application for the above site. As the sewer you propose to divert is of a non-strategic nature, we would process your original S185 Sewer Diversion application under a Section 104/116 diversion Agreement. This will allow your own suitably qualified contractor, whose operatives are qualified for working in confined spaces, to undertake the diversion works which will be inspected by Thames Water and subject to a legal Agreement. Diversion of a sewer under Section 104/116 requires Thames Water to agree to adopt the new sewer in advance of construction (S104), and divest/abandon as a public sewer the old section (S116).

Following the technical review of your design I am pleased to confirm that your proposals as shown on drawing number 'T11-05-01 C' is acceptable to me in principle, subject to completion of a suitable Section 104/116 Agreement.

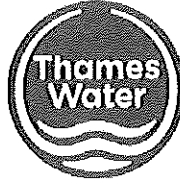
Therefore, please take this letter as confirmation of our technical approval of the design.

1. All plans should include the following statement: 'All adoptable drainage works to be constructed as detailed in Sewers for Adoption, 7<sup>th</sup> edition' or as stipulated in Thames Water's Addendum.
2. No private drainage shown coloured on the proposed Agreement plan.
3. Pressure testing programme. Sewers for adoption 7<sup>th</sup> Edition E7.3.3 sets out the requirement for an air-test once backfilling is complete. In the case of sewers constructed using plastic pipework of less than 400mm diameter, TWUL requires that under clause E1.3, the post-backfilling test shall be carried out at the end of the maintenance period to confirm that any high pressure jetting carried out under clause E7.1.1 has not damaged the pipework. For complex developments, TWUL may require the developer to provide an air testing programme showing how the air testing of plastic pipework will be carried out.

Thames Water  
Developer Services  
3<sup>rd</sup> Floor West  
Clearwater Court  
Vestern Road  
Reading  
RG1 8DB

T 0800 009 3921  
| [www.thameswater.co.uk](http://www.thameswater.co.uk)

Thames Water Utilities Ltd  
Registered in England and Wales  
No. 2366661, Registered office



**NOTE:** For the avoidance of doubt, for new clay and concrete sewers, no air test is required at the end of the maintenance period as their resistance to high pressure jetting is much greater. See WRC Jetting Guidance for further information.

4. Trees and shrubs of a large size or heavy canopy, or with a moderate or high water demand must not be planted within any sewer easement.

The above acceptance is for the onsite adoptable gravity network only and is not to be used for the discharge of any drainage related planning condition covering the offsite drainage strategy and any related reinforcement works detailed in the Sewer Impact Study.

These works may be undertaken by a competent contractor of your choice so long as they have operatives qualified to work in confined spaces.

Please note that you will need to obtain Thames Water's consent to make the connection from the site if you are connecting directly to the existing public sewers. You will need to apply for this via a Section 106 New Connection To A Public Sewer application which is available from our website [www.developerservices.co.uk](http://www.developerservices.co.uk).

## NEXT STEPS

### 1 LEGAL AGREEMENT

Please find attached a legal draft copy of the S104/116 Agreement and legal pro forma document. Note; the S104 Agreement is only a 'draft copy' and not to be sent to solicitors. On completion of the attached legal pro forma, our solicitors will be instructed to prepare the S104/116 Agreement specific to this site. **It is imperative that the legal pro forma is fully completed, missing information will lead to delays and extra costs between our respective solicitors.**

Please supply the following information so that we can instruct our solicitors to prepare the Agreement.

- Completed legal pro forma document. Please send this as a pdf attachment via return email completing all sections marked 'Developer/Agent'.
- Thames Water will require a cash deposit in lieu of the normal bond or surety equal to the total construction cost of the scheme. The estimate for this is £15,737.00. The deposit must be paid before any sewer diversion works begin on site and will be returned in 2 stages, 80% upon satisfactory construction of the new sewer and the final 20% after a 12 month maintenance period as long as and the developer has fulfilled his obligations as set out in the standard clauses of the aforementioned Agreement.
- Please note that our solicitors will also request a fee in the region of £850 to draft the legal agreement.

Thames Water  
Developer Services  
3<sup>rd</sup> Floor West  
Clearwater Court  
Vastern Road  
Reading  
RG1 8DB

T 0800 009 3921  
| [www.thameswater.co.uk](http://www.thameswater.co.uk)

Thames Water Utilities Ltd  
Registered in England and Wales  
No. 2366661, Registered office



## 2 SITE INSPECTIONS

### Gravity Sewer

Please provide us with the onsite contact details or the Developer contact if no onsite contact detail is available at this point.

The reference number (or Service Order) for inspections for your site is: 80193128. Please quote it on any inspection related enquiry.

## 3 PROVISIONAL CERTIFICATE AND REFUND OF 80% DEPOSIT

In order to issue the Provisional Certificate Of Substantial Completion, putting the new adoptable sewers on a 12 months maintenance period and to refund 80% of the deposit, we will need the following items in place:

- Signed Agreement
- Satisfactory inspection and CCTV survey of the adoptable sewers
- All connections to the existing sewer that need to remain have been re-made to the new sewer (where necessary).

## 4 FINAL CERTIFICATE AND REFUND OF REMAINING 20% DEPOSIT

Following the end of the 12 months Maintenance Period we will carry out a final inspection of the adoptable sewers. Upon satisfactory completion of this and receipt of as-built drawings that include the as-built cover and invert levels of the manholes, we will issue the Final Vesting Certificate to confirm the adoptable sewers are then public sewers under the responsibility of Thames Water and refund the final 20% of the deposit to conclude the diversion.

The reference number for your application is DS6053397 and for inspections 80193128 ; please quote this in any future communications.

If you have any questions please give the Helpdesk a call on 0800 009 3921. We are open 8am-5pm, Monday to Friday, or you can email us at [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).

We look forward to hearing from you.

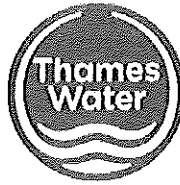
Yours sincerely

Artur Jaroma  
Sewer Adoption Engineer

Thames Water  
Developer Services  
3<sup>rd</sup> Floor West  
Clearwater Court  
Vestern Road  
Reading  
RG1 8DB

T 0800 009 3921  
| [www.thameswater.co.uk](http://www.thameswater.co.uk)

Thames Water Utilities Ltd  
Registered in England and Wales  
No. 2366661, Registered office



**LEGAL INSTRUCTION PRO FORMA - TO BE COMPLETED BEFORE THAMES' SOLICITORS WILL  
PROGRESS SECTION 104 AGREEMENT**

**- PLEASE TAKE TIME TO ENSURE ALL REQUIRED FIELDS ARE FULLY COMPLETED, FAILURE TO DO SO WILL RESULT IN DELAYS / INCREASED COSTS INCURRED WITH SOLICITORS FOR BOTH PARTIES.**

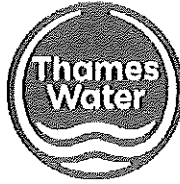
\* Mandatory Fields - All boxes marked in yellow are Mandatory fields that must be completed

|                         |   |  |
|-------------------------|---|--|
| *1. Developer/<br>Agent | Name and location of<br>Development   | Name:<br><br>Address:  |
| 2. TWE                  | Thames Water Reference<br>Number  | <b>DS6053397</b>   |
| *3. Developer/<br>Agent | Developer's solicitor's details   | Name:.....<br><br>Address:<br>.....<br>.....<br>.....<br>..... |
| *4. Developer/<br>Agent | Developer's details<br><br>(Note: please enter details of<br>all developers, if there are<br>more than one)   | Name:.....<br><br>Address:<br>.....<br>.....<br>.....<br>..... |
| *5. Developer/<br>Agent | Owner's details if different to<br>Developer<br><br>(Note: please enter details of<br>all Owners, if there are more<br>than one)                            | Name:.....<br><br>Address:<br>.....<br>.....<br>.....<br>..... |
| *6. Developer/<br>Agent | Adjoining Owners who need<br>to be a party to the<br>Agreement<br><br>(Note please enter details of<br>all Adjoining Owners, if there<br>are more than one) | Name:.....<br><br>Address:<br>.....<br>.....<br>.....<br>..... |

Thames Water  
Developer Services  
3<sup>rd</sup> Floor West  
Cleanwater Court  
Vestern Road  
Reading  
RG1 8DB

T 0800 009 3921  
I [www.thameswater.co.uk](http://www.thameswater.co.uk)

Thames Water Utilities Ltd  
Registered in England and Wales  
No. 2366661, Registered office



|                          |  |  |
|--------------------------|--|--|
| *7. Developer/<br>Agent  | Surety's details   | Name:.....<br><br>Address:<br>.....<br>.....<br>.....  |
| 8. TWE                   | Cash deposit in lieu of the normal bond or surety  | £15,737.   |
| 9. TWE                   | Inspection Fees  | £500.  |
| *10. Developer/<br>Agent | Period of Construction and date it starts from<br><br>(Note : The planned completion date for the S.104 Agreement must NOT be more than 3 months from the date you provide us with the completed Instruction Pro Forma). | Period of construction: .....<br><br>Start date: ..... |
| *11. Developer/<br>Agent | Layout Plan(s)   | Drawing Number(s).....                                 |
| *12. Developer/<br>Agent | Is a Deed of Easement required?<br><br>Will the party to the Deed of Easement be the Owner or the Adjoining Owner?   |  |
| *14. Developer/<br>Agent | Is there a Pumping Station? (Whether or not transfer is to happen at a later date)   | No   |
| 15. TWE                  | Does this instruction include the <u>transfer</u> of a Pumping Station?  | No   |
| *16. Developer/<br>Agent | Are there any above ground surface water Balancing Facilities?   | No   |

Thames Water  
Developer Services  
3<sup>rd</sup> Floor West  
Clearwater Court  
Vestern Road  
Reading  
RG1 8DB

T 0800 009 3921  
| [www.thameswater.co.uk](http://www.thameswater.co.uk)

Thames Water Utilities Ltd  
Registered in England and Wales  
No. 2366661, Registered office