

# SOUTH WEST WATER LIMITED

Policy for Developers and Self Lay Organisations for the Provision of Water Mains and Service Connections to Support New Development

July 2009

Version 2.0

#### 1. Purpose and Introduction

- 1.1 This document covers arrangements to provide new water mains and service connections to service the needs of new developments. It does not cover the provision of service pipe connections for small numbers of new properties
  - connecting to an existing South West Water water main.
- 1.2 A developer or Self Lay Organisation (SLO) requiring the provision of a new water main may:
  - requisition a main from South West Water Limited; or
  - make its own arrangements to provide a main in accordance with the requirements of this document.
- 1.3 South West Water covers the Devon and Cornwall peninsula and small areas of West Somerset and Dorset, an area of 11,137 square kilometres. South West Water provides water to 1.6 million residents and caters for about 8 million visitors in a typical year. The south west is one of the fastest growing regions in the country and its population is expected to continue to grow.
- 1.4 The Water Act 2003 now permits SLOs to install water mains and service connections for which they will receive an appropriate payment for these assets. If developers/SLOs opt to make their own arrangements to provide a water main, they will be required to enter into a contract with South West Water. South West Water will consider working with developers to provide services where they do not wish to undertake all of the work themselves.
- 1.5 South West Water supports its customers having a choice as to how water mains are provided. However, the company has a strict legal responsibilities to protect the public water supply from contamination and, the responsibility for mains will pass to South West Water once they have been laid. It will therefore be necessary for third parties working on water mains to work to the same rules as apply to water companies.
- 1.6 If a developer opts to make their own arrangements to provide water mains, they will be required to enter into a formal self-lay agreement with South West Water. The agreement will specify that the mains are to be laid by the developer, and not under the statutory powers available to South West Water.
- 1.7 This policy has been updated to incorporate details laid out in Ofwat's 'Competition in providing new water mains and service pipes: Guidance to companies, version 3.0, March 2009, and the 'Code of Practice for the Self-Laying of Water Mains and Services, England and Wales, Published by WRC, April 2009.

- 1.8 South West Water will adhere to the service levels laid out in Ofwat's document "Guidance to Companies Version 3.0 (March 2009)".
- 1.9 To discuss queries relating to self-laying of water mains or service pipes, within the South West Water region, please contact us at:

Engineering South West Water Peninsula House Rydon Lane Exeter EX2 7HR

Tel: 0800 169 1144

- 2. Supplying a new development
- 2.1 It is likely that the following will need to be provided to supply a new development:

**on-site water mains** - these are the pipes that will transport water around the new development.

**off-site water main -** this is the pipe that will connect the development site to an existing South West Water water main. South West Water will advise both the main to which the new development will be connected and the point at which it may connect.

**service pipes** - these are the pipes which will connect individual properties to the on-site water mains. Each new property built must have its own separate service pipe connection to the water main and a meter has to be installed on each service pipe.

**network reinforcement** – this is where South West Water's existing network is affected by the self-lay works and improvements such as other new water mains, service reservoirs and pumping stations may be required; South West Water are entitled to recover costs associated with these works.

- An on-site water supply system will also need to include fire hydrants to meet the local Fire Authority's requirements. Depending on the available water pressure, it may also need to include arrangements to boost or reduce water pressure. Any works required to the Company's existing network can only be completed by South West Water, if they affect mains that supply other existing customers. These works will be funded directly by the developer. South West Water will determine whether existing costumers will be affected during the technical evaluation phase which takes place prior to the application stage.
- 2.3 The installation of off-site works, may be carried out by the SLO if the relevant easements and consents are in place, and the works do not affect existing customers.

## 3. Requisitioning a new water main

- 3.1 Where South West Water is asked to provide a new water main, this is known as requisitioning. We will design an on-site water mains system for the developer once we know their requirements. We will also liaise with the Fire Brigade over any fire fighting requirements, e.g. number and positioning of fire hydrants.
- 3.2 The developer will be required to contribute to South West Water's costs for providing the on-site water mains. The law provides that the developer should pay any difference between the income we receive from charges for water supplied from the main in each of the 12 years after the main has been laid and our reasonable costs in providing the main. This may be paid over the twelve year period or as a single initial payment.
- 3.3 Once South West Water has designed and costed the mains system, the company will provide the developer with options for paying their contribution. In the case of a new site, the developer may find the lowest cost option is to undertake the excavation and back-filling themselves, to a specification provided by South West Water. These mains will be laid by South WestWater using its statutory powers and the developer will not need private easements.
- 3.4 Before South West Water starts work, the developer maybe required to pay part of the costs depending on the financing option that will have been agreed. South West Water will lay the main or mains within three months of making the agreement (or in accordance with your proposed phasing). If South West Water don't, and the developer hasn't agreed an extension of time, the developer may have a legal claim against South West Water for any loss or damage sustained.

# 4. <u>Provision of water mains and service connections by parties other than South</u> West

## Water Limited

- 4.1 South West Water will contract directly with the developer and the site owner (if not the developer) under the terms of the Company's self lay arrangements. It is recognised that a developer may wish that a self lay contractor act as its agent and South West Water will accept this arrangement providing the developer has one agent only. In this circumstance, the self-lay agreement will be made between the contractor, the developer and South West Water.
- 4.2 The provision of a water main and service connections by anyone other than South West Water can only occur if certain conditions are met. These are neither more, nor less, onerous than those which apply to South West Water, or their contractors, if they were to provide a water main. However, the developer will not be able to use South West Water's statutory powers.

## 4.3 Generally the developer will be required to:

- \* Provide a refundable security to cover any costs that South West Water might incur if they have to carry out remedial work after the developer has finished on site.
- \* Obtain South West Water's prior agreement / written approval for their design, and use only materials approved for use in providing water services.
- \* Use a contractor that South West Water has approved as a competent contractor to undertake the work they have been engaged to undertake; (i.e. one who is approved under a Water Industry approved contractor scheme (Lloyds Register) or European equivalent.
- \* Comply with all legal requirements applying to the provision of water services; water mains; and service pipes.
- \* Comply with the Code of Practice for Self-Laying of Water Mains and Services, England and Wales, April 2009.
- \* Work to the most current South West Water standards, specifications and processes and the Civil Engineering Specification for the Water Industry (CESWI), 6<sup>th</sup> Edition.
- \* Adhere to Ofwat's Competition in providing new water mains and service pipes; Guidance to companies version 3.0, March 2009.

## 5. What work can the developer or the developer's contractor undertake?

#### 5.1 The developer can:

- install on-site water mains
- install off-site water mains in third party land and highways where you have obtained the necessary easements and certification to undertake such works and have satisfied any other legal requirements.
- install routine in-line mains connections, subject to relevant safeguards and accredation schemes being in place.
- install mains extensions and the new part of diversions to new development sites, where you have the necessary permission and the water supply to existing customers will not be affected and/or there are no engineering reasons why you should not undertake the work; South West Water's technical evaluation process, which takes place prior to the application stage, will identify those reasons that may forbid the developer from self-laying the water main/services.
- design on-site water systems in accordance with South West Water's design specification
- install service pipes to South West Water's specifications

- under the supervision of South West Water, connect service pipes to new mains (after South West Water have filled the mains with water) provided the appropriate standards are met and there are no risks to existing customers.
- install water meters that will be supplied by South West Water.
- swab, pressure test and disinfect new mains under supervision and in accordance with South West Water's specifications
- connect service pipes to new mains on development sites installed by South West Water or other SLOs
- connect service pipes directly to existing off-site mains, subject to appropriate accreditations and caveats
- provide as-laid drawings to South West Water's specification

The developer shall obtain all necessary consents, permissions, accreditations and caveats as detailed in the Code of Practice for the Self-Laying of Water Mains and Services – England and Wales, April 2009; South West Water shall review these details as part of the application.

# 5.2 The developer will not be permitted to:

- undertake off-site work to reinforce the existing network (except where the water supply to other existing customers is not affected)
- approve on-site water mains designs
- design off-site water systems
- determine the timing of service pipe connections to water mains
- make connections to water mains that involve risks to existing customers
- make mains connections, other than those specified in 4.1 above
- undertake water sampling and quality testing
- decommission redundant mains following a installation of a diversion main
- size pipes (South West Water shall retain responsibility for this part of the design work)

## 6. <u>Approved contractors</u>

- Only developers or contractors with a minimum partial accreditation to the Lloyds Register Water Industry Registration Scheme may undertake physical work to install water mains or service connections. These contractors will not be permitted to sub-contract works to any other contractor.
- As water companies are required to abide by a Code of Practice, which has been approved by the Office of Water Services when working in third parties' land, an approved contractor will be required to abide by South West Water's Code of Practice (provided within South West Water's specification document). Evidence of systematic failure to abide by the Code of Practice will lead to loss of approved contractor status. Individual breaches may result in delay and costs to the developer.

- An approved contractor will be required to work at all times in full compliance with the Water Supply (Water Quality) Regulations and the Water Supply (Water Fittings) Regulations. Evidence of systematic failure to abide by these legal requirements will lead to loss of approved contractor status. Individual breaches may result in delay and costs to the developer.
- In order to qualify for approved contractor status, a contractor will need to satisfy the Lloyds Registration Scheme managers that its employees hold either an NVQ Level II in Public Utilities Distribution Mainlaying or Service Laying, or City and Guilds equivalent; hold a current South West Water Blue Card in respect of their personal health (or an equivalent issued by another body recognised by South West Water), are fully conversant with South West Water's arrangements for Water Supply Hygiene; and, where appropriate, hold appropriate New Road and Streetworks Act Licences and qualifications.
- A list of approved contractors will be maintained by, and be available from, Lloyds Register.
- 6.6 South West Water reserves the right to refuse to enter into a self lay contract with a developer where there has been evidence of non-approved contractors being used on previous self-lay schemes. The company also reserves the right to take over projects where it is discovered that non-approved contractors, or employees that are not suitably qualified, are being used.

## 7. Complaints

- Any complaints from the owners of land in which a main is being laid will be referable to South West Water for resolution. A developer laying a main under third party land will be expected to do what South West Water requires it to do to resolve the complaint. Any costs incurred by South West Water in managing such complaints will be recharged to the developer.
- 7.2 Any complaints from parties other than the owners of land in which the developer is working, will be for the developer to manage and resolve directly with the complainant.
- 7.3 In the event that any legal liability attaches to South West Water Limited by any action or omission by the developer or its agents, South West Water will recover any costs it incurs from the developer. Any legal dispute may delay connection to South West Water's water mains.
- Once work is complete and South West Water has connected the on-site mains to its distribution system, the company will be responsible for managing any complaints from its customers connected to the main. Any costs South West Water incurs as a result (directly or indirectly) of the main and/or associated service pipe connections and fittings having not been installed in accordance with the approved designs, or other South West Water requirements, will be recoverable from the developer; this shall

include non-compliances of which South West Water becomes aware within 12 months of the adoption of the water main,.

## 8. <u>Getting started</u>

- 8.1 The developer should discuss their needs with South West Water as early as possible to allow time to ensure that their needs for information and the timing of works are met. At the time of application a meeting will be established between the developer and South West Water to discuss the requirements of the development.
- 8.2 Following an enquiry, to help the developer decide whether to requisition a main from South West Water or to make their own arrangements, South West Water will advise the developer of:
  - the likely costs of requisitioning a main
  - the likely costs of any aspects of work you wish us to quote for
  - the need for any off-site works to allow it to be supplied with water and the cost of those works
  - the connection point for the off-site main
  - the deposit that will be required if you lay the mains yourself
  - the asset value that will be paid for the new mains
  - detailed specifications for the work you will be undertaking if you are not sure of them
- 8.3 South West Water will also supply the developer with specimen contracts, and plans of the local water mains system if required. The developer will need to identify other utilities' infrastructure in the vicinity of the development.
- Where we believe that off-site work needs to be undertaken to allow us to supply your site, we will support this with flow information.
- Assembling the information will be charged for at the rate of £30 per hour. Any copies of the Company's network records will be charged for at £32 plus VAT per enquiry plus £8 plus VAT for each record copy provided.
- 8.6 The SLO shall provide information as identified in the Code of Practice for the Self-Laying of Water Mains and Services England and Wales, April 2009. summarised below:

#### Point of Connection / Enquiry Stage

- Location of development site, including location plan
- Developers details
- Size and type of development
- Timescales

## Design stage

- Fully completed South West Water application form for new water main
- Site location plan
- Detailed design
- Soil condition report
- Materials schedule
- Land ownership details
- Fire service liaison details

## 9. Design

- 9.1 Developers may design on-site water mains and service pipes. However, designs must comply with South West Water's requirements (available from South West Water's Asset Development Section) and South West Water must approve the design in writing before any work starts on site.
- 9.2 The developer's design shall comply with the Code of Practice for Self-Laying of Water Mains and Services England and Wales, April 2009.
- 9.3 South West Water will aim to approve designs or advise of any required changes within fifteen days of receiving the design. Where developments are greater than 500 properties, or where schemes require significant offsite reinforcement, we will advise you within ten working days of the date when you can expect to receive full scheme requirements.
- 9.3 Where you have requested South West Water to undertake the design work, we will aim to provide this within twenty working days except where developments are greater than 500 properties or where schemes require significant offsite reinforcement, when we will advise you within ten working days of the date when you can expect to receive full scheme details.
- 9.4 South West Water will stipulate the required points for connection to the existing distribution system, within ten working days from recipt of the 'point of connection enquiry', for developments not greater than 500 properties the point of connection maybe subject to a validity period.
- 9.5 Where a developer is designing an on-site mains system, it will be the developer's responsibility for ascertaining and complying with the local Fire Authority's requirements.
- 9.6 When development is taking place on brownfield sites or contaminated land, a developer will be required to advise South West Water of this on making the application or as soon after this as the developer becomes aware of the possible contamination, and shall submit ground analyses along with design details. South West Water will stipulate the analyses to be provided and, depending on the results of these, the materials to be used and methods of working in such circumstances.

- 9.7 When work starts on a site, should it not be possible to comply with the approved design or if the site plan changes, South West Water reserves the right to require a revised design to be submitted for approval. A charge will be made for any further approvals required.
- 9.8 South West Water will endeavour to resolve any disputes over design matters by negotiation, however, South West Water reserves the right (subject to an appeal to Ofwat) to determine what is acceptable as a design in view of its future liability for the pipework.
- 9.9 South West Water will not permit a developer to design off-site mains and systems. A developer requiring an off-site design must provide a minimum of twenty working days notice in advance of when the off-site main will be required although South West Water reserves the right to extend this period where significant offsite reinforcements are required.
- 9.10 In some situations off-site and on-site mains may need to be constructed of a larger size than is strictly required, to enable South West Water to service other planned developments in the future. In such circumstances the additional cost to the developer will be recognised in the asset value paid by South West Water on completion.
- 9.11 The SLO shall determine ground conditions for pipe selection, including a chemical soil analysis, as described in section 9.6, prior to start of design.

#### 10. Installing water mains

- Once a design has been approved, a developer may use an approved contractor to lay on-site water mains; off-site mains in third party land where the necessary easements and legal requirements have been met; off-site mains in highways where a developer has obtained the necessary Highway Authority approvals and satisfied any other legal requirements; and water mains extensions to the site and new diversion work that will not affect the supplies to existing South West Water customers.
- 10.2 Prior to work starting on site, the developer must provide financial surety to South West Water equivalent to the amount that it would cost the Company to incorporate the adopted main into South West Water's system, including the undertaking of remedial works. This surety will remain in place for the following duration which will be dependent upon the location of the works:

**on-site** - the surety will remain in place until the Highway Authority adopt the site roads

**in a public highway -** the surety will remain in place until the expiry of the Streetworks opening liability (usually three years).

**third party land -** the surety will remain in place until the expiry of South West Water's liability under the terms of the land entry notice (usually 12 months)

**NB** If a dispute arises after adoption regarding the quality of installation or reinstatement, regardless as to whether or not remedial works are required to resolve the dispute, the duration of the surety as detailed above will be applied from the time the dispute is resolved.

- 10.3 The developer must, under the contract terms, secure the necessary easements and permissions to lay pipes in third party land or the public highway.
- Any and all materials used in installing and laying water pipes must be approved for use under Regulation 25 of the Water Supply (Water Quality) Regulations. Details of materials that may be used and any specific South West Water requirements are contained in South West Water's specification document, which will be issued to the developer when the main laying offer is made by South West Water. Generally all construction must be undertaken in accordance with the Code of Practice for the Self-Laying of Water Mains and Services England and Wales, April 2009.
- A developer will be able to procure its own materials or obtain them from South West Water free of charge. The asset value payable when the main is completed will reflect whether the developer procured its own materials or they were provided by South West Water.
- Water mains must be installed in accordance with the specifications set out in the 6<sup>th</sup> edition of the Civil Engineering Specification for the Water Industry and South West Water's own detailed requirements; where conflicts occur, South West Water's specification shall take precedence.
- 10.7 Where multiple services are to be laid in the same trench, South West Water will

require them to be so laid as to facilitate safe and easy access to its water main in

the future.

- 10.8 South West Water may undertake routine inspections but will not supervise the works. Should it be found that work does not conform to the specifications, work will be required to be stopped until the defects have been corrected.
- Developers will be required to provide South West Water with full and accurate plans of the mains that have been laid. Asset Value (see Section 13) will not be paid until these plans have been received and verified as acceptable.

#### 11. <u>Commissioning a new water main</u>

11.1 Before a new main can be connected to South West Water's existing water main system, it must be swabbed, pressure tested and disinfected. An Incorporating amendments to the 'Code of Practice for the Self-laying of Water Mains and Services – England and Wales, and, Ofwat's 'Competition in Providing New Water Mains and Service Pipes; Guidance to Companies, version 3.0'.

- approved contractor may undertake this work, but the pressure test must be carried out in the presence of an authorised South West Water employee.
- Once the main has been swabbed, pressure tested and disinfected, final water quality needs to be tested before the main can be connected. South West Water will sample and analyse final water quality. Charges for sampling are set out in Section 14.
- 11.3 A minimum of 72 hours notice of readiness for sampling will be required.
- Should South West Water discover any significant problems with water quality, it reserves the right to take over and undertake the works that it considers appropriate to put things right, before the main can be connected to the existing water system. The cost of this work will be recovered from the developer.
- South West Water will respond to a request for routine mains connection approval within three working days of receiving a fully completed application (requests received after mid-day on any day being deemed to be received the following day); should we fail to meet this objective due to failure of internal services, the costs associated with re-flushing and sampling will be met by South West Water.
- 12. Laying and connecting service pipes
- Service pipes are the pipes that connect properties to a water main. Each property must have its own separate service pipe and a meter will be installed on the service pipe at the property boundary unless otherwise agreed. A stop tap must also be installed on each service pipe.
- Developers may lay service pipes that comply with the requirements of the Water Supply (Water Fittings) Regulations.
- 12.3 Developers may also connect service pipes to on-site water mains after they have been filled with water by the Company **but** this work must be undertaken under the supervision of a South West Water employee. Charges for this are set out in Section 14. If it is discovered that a connection has been made without Company supervision, South West Water will refuse the developer permission to make any further service pipe connections. Unauthorised connections may also necessitate further or repeat water quality and pressure tests on the main, which will be charged to the developer.
- 12.4 SLOs are permitted to connect service pipes to both on and off-site existing mains, if there is no interruption to supply to existing customers, and all relevant consents and easements are in place.
- South West Water reserves the right to schedule all service connections and therefore the developer should give at least 48 hours notice of such connections. South West Water will agree timing of connections, and the

provision of a South West Water representative to supervise connections and install water meters.

- While South West Water will supply water meters free of charge; developers may install the meter fittings and meter box that will house the meter and the stoptap. A full meter and stop tap installation specification is available for developers who wish to undertake this work.
- 12.7 Service connections may only be made when the property that will be served by the service pipe has been plumbed substantially to 2<sup>nd</sup> fix stage. Internal plumbing installations will be subject to audits by South West Water's Regulations department.

# 13 <u>Financial Arrangements</u>

- 13.1 South West Water will provide an estimate of costs and a financial quotation for self lay, any contestable items of work that the developer wants South West Water to undertake, and for non-contestable expenditure that will be necessary as a result of the development.
- This quotation will not amount to an offer capable of acceptance, unless this is specifically stated, and in any case can only apply when the full and final information requirements in order to make a quotation have been received from the SLO. The agreement to adopt the water mains will be in the form of a formal contract, which will need to be signed by the Owner of the Site, the Developer, the Contractor, and the Owner of any adjoining land through which Self-Lay mains are to be laid.
- The calculation will include an estimate of the value of the works to South West Water which will be an asset value that will be paid to the SLO when the company take over the ownership of the works, adopting them as part of the public water supply network. Adoption of works does not remove from the SLO, the responsibility for the defects liability period for the works nor any liability under the New Roads and Street Works legislation, which will remain with the developer.
- The following charges, where applicable, will also be deducted from the calculated asset payment if not charged separately:
  - Design for on-site works where the SLO requests us to undertake this design.
  - Design of all off-site and other works.
  - Approval of the design for the SLOs on-site works.
  - Preparation and execution of any legal agreements.
  - Serving of statutory notices for laying of mains and payment of statutory compensation for works undertaken by South West Water.
  - Any inspection during and after the construction of the works

- Site attendance costs for swabbing, disinfection of mains, pressure testing, sampling, meter fitting and meter inspection.
- Laboratory analytical and results reporting costs.
- Planning design and installation costs of all non-contestable works.
   Cost of meter installation (where the SLO requests South West Water to provide this service) but not the cost of the meters.
- Infrastructure charges as set out in the South West Water Charges Scheme
- Service pipe connection charges where the SLO requests us to provide this service
- Building water costs as set out in the South West Water Charges Scheme
- Administration and overhead costs in dealing with development activities of the SLO.
- Off-site network reinforcement costs.
- The cost of the provision of any water mains or other works used in whole or in part for water for non domestic purposes.
- Costs associated with decommissioning of redundant mains, if required following diversion of an existing main.
- South West Water require a level of security from the SLO to cover the reasonable costs of works to be carried out by South West Water, where these have not already been recovered, and the reasonable potential cost of correcting minor defects in the SLOs work.
- Where a scheme does not proceed, the SLO will be required to cover the costs already incurred by South West Water, including the costs of preparing estimates, designs and quotations.
- The Asset Value Payment takes into account the income stream that South West Water will derive from the properties to be served by the new mains. This includes the currently approved future price limits applying from the current price review. The costs deducted from the asset value payment are calculated by estimating what the costs would have been if the developer had requisitioned the main from South West Water. Asset value payments are based on the income from the properties connecting from the development, calculated using information from the developer about when the properties are forecast to be connected. This will normally be based on the typical metered household consumption unless the development contains a significantly different mix of properties than would normally be expected.
- 13.8 The annual financing costs that we would have incurred had we provided the mains in accordance with the Water Act 2003 will be calculated using the current interest rate prescribed for this purpose by Ofwat. The projected water charge income for the following 12 years following when the adoption of the asset is planned to occur (normally assumed to be when the requisition would have occurred) will be used in the calculation, up to a limit in each year of the financing cost. A Net Present Value is then

calculated for this future income stream, again using the current interest rate prescribed for this purpose by OFWAT, as the discount factor. This is known as the commuted sum. To arrive at the Asset Value Payment, we will deduct from the commuted sum any charges for contestable or non-contestable work incurred by South West Water, including the costs of network reinforcement. Security will be placed on deposit until the end of the maintenance period for the works.

13.9 The Asset Payment actually made may vary from that originally quoted to take into account more accurate or up to date information on revenue and costs from that assumed. No adjustments to the asset payment can be made once the asset payment has been made. An example of the asset payment calculation is given in Appendix A.

#### 14. South West Water costs

ACTIVITY	RATE (£)
Design by SWW	To be confirmed
Appraisal of developer's design	
Land entry negotiation inc. serving of	To be calculated on a site by site basis *
notices and customer's land agent fees	
after SLO has secured the necessary	
easements and permissions to enter	
third party land	
Onsite supervision inc. travel	To be confirmed
Quality sampling inc. laboratory testing	To be confirmed
Additional sample whilst onsite	To be confirmed
	77. 1
Supervision of service connections	To be confirmed
Administration of new service	To be confirmed
connections inc. Trench and Water	10 be confirmed
Regulation inspections	G G. l
Re-inspection costs	See current Charges Scheme
Coming of SWW records	Cas assument Changes Cahama
Copies of SWW records	See current Charges Scheme
Water infrastructure abargas	Cas aument Changes Sahama
Water infrastructure charges	See current Charges Scheme

<sup>†</sup> VAT applicable at the standard rate

14.1 Charges for engineering and construction services, including infrastructure charges, are subject to VAT at the standard rate, unless they relate to new construction of dwellings.

<sup>\*</sup> VAT applicable as detailed in 14.1 below.

## 15. Disputes

South West Water will seek to resolve any disputes with developers and SLOs concerning the specific terms of an agreement. Where no agreement is possible, developers and SLOs can ask Ofwat to determine disputes about the terms and conditions of self-lay agreements and refusals to adopt self-laid pipes supplying water for domestic purposes.

Ofwat has powers under the Water Industry Act 1991/Water Act 2003 to determine disputes and appeals about:-

- Undertakings or security required by South West Water;
- The amount payable for the requisitioned water main;
- The extension of the time period within which time the water main should be provided (if not provided within 3 months);
- The route of the water main;
- The refusal by South West Water to adopt the main or service pipe;
- An offer of terms and conditions to which the developer or SLO objects; an
- The refusal by South West Water to provide terms and conditions within two months; and,
- Financial arrangements that South West Water requires under the Water Industry Act 1991.
- 15.3 The document 'Process for handling disputes and appeals: Requisitioning of water mains and public sewers and/or lateral drains and adoption of self laid water mains' is available from Ofwat, or from www.ofwat.gov.uk.

South West Water Limited July 2009