

Developer Services

Developers Guide to Making an Adoption Agreement asking for a Variation or Termination of an Agreement

January 2018

It's part of our
Blueprint for Yorkshire



YorkshireWater

Developers Guide to Clean Water Adoption Agreements

DOCUMENT CONTROL

Author	Michael Sunderland
Created Date	11.01.2018
Last Updated	
Document Ref	Developers Guide to Clean Water Adoption Agreements
Version	Draft

Reviewed By	
Date Reviewed	
Review Comments	
Signature	

General

Making an adoption agreement

If you are building multiple domestic or commercial properties on a site that will have new road access you will probably need a new water main. This main, and the services to each property, can either be laid by accredited Self-Lay Providers or by ourselves.

If you decide to use a self-lay provider (SLP) to install your water mains, this document explains the processes to be followed for making, varying or terminating an adoption agreement.

Prior to making an application for new mains we would advise either completing a point of connection or Development Enquiry application. This will give you the following information about our ability to serve your site:

Point of connection application:

This application should be used at detailed planning stage if you are intending to use a SLP to design and install your new water main and service connections.

The information we will provide includes:

- A point of connection for your mains to the existing network
- Details of any reinforcement required
- Detailed costs for none contestable works
- Information about our ability to feed your site
- A copy of our mains records for the area
- Details of any diversions or additional work required in order to supply the demand you require
- Costs for any site-specific work
- Details of whether the site can be fed by gravity or will require pumps and storage

A point of connection application can be found [here](#)

Development enquiry:

This application should be used at detailed planning stage if you are unsure about using a SLP to install your new water main and service connections or requisitioning a main from us and you would like us to provide the design.

The information we will provide includes:

- Information about our ability to feed your site
- A copy of our mains records for the area
- Details of any diversions or additional work required in order to supply the demand you require
- Costs for any site-specific work
- Details of any reinforcement required
- Details of whether the site can be fed by gravity or will require pumps and storage

A Development Enquiry application can be found [here](#).

If you are unsure if you are going to use a SLP to install your new water main and service connections

we will undertake the design and send you the costs for all options, once you have made your decision we will send you the appropriate agreement which you should sign and return to us with any payments due.

Application forms for self-lay works and requisitions can be found [here](#)

Upon receipt of an application to Self Lay Water Mains and / or Services we will issue an acknowledgement of your application within 5 calendar days.

To have your water mains laid by a SLP you will need to enter into an agreement with us under Section 51 of the Water Industry Act. This sets out the entire agreement and understanding between all parties in relation to the Self Lay Works.

If more than one person is named as one of the parties then any covenants, agreements, liabilities or statements made by that party shall be deemed to be made by those persons jointly and severally.

We will only enter into an agreement with SLPs who hold the appropriate accreditation for the work you require undertaking under the Water Industry Registration Scheme (WIRS) administered by Lloyds Register. Developers can find a fully list of accredited SLPs here:

[Lloyds register WIRS List](#)

We will allow a SLP to carry out all contestable activity as highlighted in the Code of Practice (COP) for the self-laying of water mains and services – England and Wales. The table below has been taken directly from this document and gives details of activities that are non-contestable (work that must be done by us).

A full copy of the Code Of Practise can be found [here](#).

Our addendum to the COP, incorporating our local requirements can be found [here](#).

1. The Water Company should allow the SLP to do all elements of work to provide water supplies to new developments other than those defined as non-contestable in Table 1.

Table 1: Non-contestable activities in the design and construction of water mains and Services

DESIGN
Design work for Network Reinforcement.
Sizing pipes – Water Companies retain responsibility for this part of the design work (see Sections 3.5.3 and 3.6.3).
DESIGN APPROVAL
Approving on-site water distribution systems designs (except where self-certification arrangements are in place).
INSTALLATION
Network reinforcement works (i.e. to secure an adequate supply to the site) whose construction heightens the risk of damage to existing water distribution systems or interrupting supplies to existing customers. (See note below).
Mains connections that involve heightened risk to existing assets or could affect supplies to existing customers. (See note below).
Source of water connections to Water Companies' existing assets.
Service connections larger than 63mm diameter.
Service connections less than 63mm on existing mains where the Water Company assess that the condition of the main or the material heightens the risks to existing assets or could affect supplies to

existing customers. (See note below).
COMMISSIONING
Decommissioning redundant mains following a diversion.

Note – Restrictions on SLPs undertaking work apply when the Water Company assesses that the construction works significantly heightens either the risk of damage being caused to their existing assets.

Our mains design and construction guidance will assist you in complying with our requirements and contain our approved materials lists which will ensure you procure the correct fixtures and fittings for the site.

A copy of our mains design guidance can be found [here](#)

The Self Lay Works shall have been designed either by SLP, the Developer or you can ask us to carry out the design on your behalf. Design approval is a non-contestable activity and all designs should be approved by us prior to commencing work.

If the scheme is to be laid in phases you need to inform us of this prior to commencing work.

Before the Self Lay Works commence on site, please ensure that we are given 5 days notice of a pre-construction site meeting, giving us the opportunity to attend.

When you are ready to start work on site, please give us 10 days notice, by completing the attached [Weekly Whereabouts](#) This will allow us to start any non contestable works (work that can only be done by Yorkshire Water).

During the laying of the water main we will we will undertake regular site inspections to ensure the work complies with the Code of Practice for Self-Lay (COP) and our addendum to the COP.

Any damage to our assets could result in serious water quality issues and disruptions to existing customers, the precautions required when working in proximity to our assets can be found at **Appendix 1**.

Prior to the new main being connected to our network, you must have produced an as-laid drawing and you need to arrange a site meeting with us to walk the site to ensure the new main meets the required specifications. Once satisfied, our inspector will issue you with an on site vesting certificate. This confirms that we are satisfied that the new main meets our specifications and a formal vesting certificate will be issued from our head office.

A copy of our as built mains guide is available here: [Main Laying as built drawing guide](#)

Please be aware that until such time as the new mains are vested, they remain the property of the Developer/SLP.

After vesting you will need to have the new main chlorinated, sampled and tested prior to making a connection to our existing network. You can use any UKAS approved laboratory to carry out this test but the sample results need to be approved by our water quality department before authorisation to connect is given.

Full details of this process can be found [here](#).

Once the new main has passed the chlorination test and meets the required specification, you can then apply to connect the Water Main to our network by filling in an application form, which is available here: [Routine in line mains application](#)

Please be aware, we need a minimum of 10 days notice before such connection is required.

Once connected to our network a Defects Liability Period of one year will be placed on the new main, we may carry out any repair or rectify any Defect in the Self Lay Works or may, by written notice, require the SLP to remedy any Defect within that period.

Our costs for rectifying any defect found within the liability period will be fully charged back to the SLP/Developer.

Service Pipe Connections

Please give us 10 days notice when you are making service connections to the new main by completing our weekly whereabouts form and send it to SLP_@yorkshirewater.co.uk. This will give us time to ensure the property complies with the water regulations.

When making Service Pipe Connections, you are required to provide in writing to us, the meter serial number, meter size, meter location, full postal address of the property served by the Service Pipe within 5 working days of the connection being made.

Any service connection made to our existing off site mains should be highlighted to us at design stage and an application should be made prior to any connection. All these connections will require a risk assessment prior to authorisation to proceed.

Application for off site service connections can be found [here](#)

Once a service connection is made to the new main, providing that it meets the specification, it will vest automatically with Yorkshire Water. A defects liability period of one year will start from the date of connection.

Variations

There may be situations on site that require variations to the original design and all parties may request a variation by providing a minimum of 5 days written notice so that a meeting can be arranged to discuss the proposal. You should not make any variation without our prior consent in writing.

Developers wanting to choose a different SLP for service connections to the original SLP who laid the water main should be aware that a second legal agreement needs to be in place to cover the service pipe installations. Developers wanting to choose this option should do so in writing, giving a minimum of 5 days notice.

Termination

If any outstanding Defects or maintenance issues in respect of the Self Lay Works remain unresolved or the SLP or the Developer shall be adjudicated bankrupt or shall go into receivership, liquidation voluntarily or otherwise, or shall execute a deed of assignment or arrangement for the benefit of, or otherwise compound with, its creditors (except for the purpose of re-construction or amalgamation) the Undertaker may without prejudice to its other rights remedies and powers against the SLP and the Developer by notice in writing to the SLP, Developer and Surety terminate this Agreement and upon such notice being served this Agreement shall immediately terminate but such termination shall not affect any liabilities which have accrued prior to the date of termination and shall be without prejudice to the Surety's obligations to the Undertaker.

Transitional Arrangements

Asset Value Payment Asset Value Payment

From 1st April 2018 the way we charge for our services is changing. Where a legal agreement is already in place in relation to charges for Site Specific work carried out as part of an adoption, then the charges defined within that agreement remain valid for the life of the agreement unless all parties agree to vary those charges. This could include an asset value payment to be made upon vesting of the main. Once the main is vested you will be advised on when you can apply for your payment if this is the case.

Our Performance

Since November 2014, Yorkshire Water Developer Services has been tracking performance on the services we provide to customers, developers and self-lay organisations as part of the Water UK Levels of Service. This data has enabled us to develop an improvement plan which we will implement to drive a significant increase in the levels of compliance, thus improving the service to Yorkshire Water customers.

See our full performance [here](#).

What to do if you are not happy with our service

If you are not happy with the service we have provided, please contact the person responsible on the number below.

0345 120 84 82 Option 2 for our Clean Water advisors.

Design/ Agreement/ Costs

- The Clean Technical Co-ordinator
- The Senior Technical Co-ordinator
- The water technical team leader

Construction/ Accreditations / Materials

- The developer services site inspector
- Senior inspector
- The operations team leader

If there is a failure to agree and resolve an issue, the developer/ SLP will be given the option to meet the developer services management team.

Appendix 1

YORKSHIRE WATER - PROTECTION OF MAINS AND SERVICES FOR CLEAN AND WASTE ASSETS

The position of Yorkshire Water Services Ltd (YWS) apparatus shown on the existing mains record drawing(s) indicates the general position and nature of our apparatus and the accuracy of this information cannot be guaranteed. Any damage to YWS apparatus as a result of your works may have serious consequences and you will be held responsible for all costs incurred. Prior to commencing major works, the exact location of apparatus must be determined on site, if necessary by excavating trial holes.

If surface levels are to be decreased / increased significantly the effects on existing water supply apparatus will be carefully considered and if any alterations are necessary, the costs of the alterations will be recharged to you in full. Outlets on fire hydrants must be no more than 300mm below the new levels and all surface boxes must be adjusted as part of the scheme.

To enable future repair works to be carried out without hindrance; any pipe, cable, duct, etc. installed parallel to a water main or service pipe should not be installed directly over or within 300mm of a water main or service pipe or 1000mm of a waste water asset. Where a pipe, cable, duct, etc. crosses a main or service it should preferably cross perpendicular or at an angle of no less than 45° and with a minimum clearance of 150mm. These requirements apply to activities within an existing highway and are relevant to the installation of pipes, cables, ducts, etc. up to and including 250mm in diameter. Necessary protection measures for installations greater than 250mm in diameter and/or in private land will need to be agreed on an individual basis. Installations within a new development site must comply with the National Joint Utilities Group publication Volume 2: NJUG Guidelines On The Positioning Of Underground Utilities Apparatus For New Development Sites.

All excavation works near to YW apparatus should be by hand digging only.

Backfilling with a suitable material to a minimum 300mm above YW apparatus is required.

Adequate support must be provided where any works pass under YW apparatus.

Jointing chambers, lighting columns and other structures must be installed in such a way that future repair or maintenance works to YW apparatus will not be hindered.

Apparatus such as; railings, sign posts, etc. must not be placed in such a way that they prevent access to or full operation of controlling valves, hydrants or similar apparatus. YWS surface boxes must not be covered or buried. Any adjustment, alteration or replacement of manhole covers must be agreed on site prior to the commencement of the works with a YWS Inspector.

Vibrating plant should not be used directly over any apparatus. Movement or operation by vehicles or heavy plant is not to be permitted in the immediate vicinity of YWS plant or apparatus unless there has been prior consultation and, if necessary, adequate protection provided without cost to YWS.

Under no circumstances should thrust boring or similar trenchless techniques commence until the actual position of the Company's mains/services along the proposed route have been confirmed by trial holes.

Any alterations to the highway should be notified following the procedures outlined in the New Road and Street Works Act 1991 Code of Practice; Measures Necessary Where Apparatus Is Affected By Major Works (Diversionary Works).

Contact Us

E :

W : www.yorkshirewater.co.uk/developers

T : 0345 120 8482 (Monday to Friday 0800-1700)

P :

 [@yorkshirewater](#)

 facebook.com/yorkshirewater

yorkshirewater.com