



Misconnections within Social Housing

Pollution from our homes can arise from many seemingly innocent activities such as car washing or wheelie bin cleaning. But one of the more common and most visible examples is from misconnected sewage pipework. Defra is looking at several different proposals to help tackle misconnections and one of them is raising awareness of misconnections with social housing providers. This information note explains what misconnections are, what this issue has to do with social housing providers, why it is important social housing providers take action, and what social housing providers can do.

Issue

Misconnections have been identified as one of the priority pollution sources in the forthcoming urban diffuse water pollution action plan and it is a source that attracts a degree of political interest too. Defra made a commitment in the Water White Paper (Water for Life, December 2011) to work 'with the general public on such matters as misconnections to the sewerage system and disposal of fats, to raise awareness and encourage action'.

Background

Gradually since the 1950s (but as early as pre-World War I in some areas), sewer systems in new developments in the UK have been constructed separately, with foul water collected and taken for treatment and surface water from rainfall collected and allowed to discharge directly to a nearby watercourse. Unfortunately, over time, the separation of the two sewer systems has become compromised because of misconnections by third parties: domestic, commercial and industrial premises.

The term misconnection is where the drainage from a building has been connected to the wrong sewage network - either a foul water connection to a surface water system (e.g. a washing machine connected to a rainwater pipe) or vice versa.

When foul waste water is wrongly connected to a surface water sewer, which discharges directly into streams, rivers or the sea, it can have an impact on the water quality and the amenity value of the area. Likewise when surface water is wrongly connected to a foul sewer it can lead to sewer flooding.

The UK Water Industry Research (UKWIR)¹ estimates there are around 128,000 misconnected properties (foul to surface water connections) in England, Scotland and Wales. The cumulative impact is serious, particularly in small watercourses.

¹ These estimated figures were taken from the 2013 UKWIR report on misconnections (Table 8 estimated number of misconnected properties).

Defra, the Environment Agency, Water companies and other stakeholders face serious challenges in dealing with the problem, not just finding and correcting misconnections but preventing them from occurring in the first place.

What do social housing providers have to do with this issue?

Social housing providers control a large number of properties - approximately 4m² homes in England are social rented. Using the figures from the UKWIR report, this would equate to an estimated 20,000³ affordable homes being misconnected, which is approximately 15% of the total number of misconnected properties in the whole of England.

Why should social housing providers do something?

Water pollution offences, including misconnections, are contained in the Environmental Permitting (England and Wales) Regulations 2010: regulations 38(1) and 12(1). Basically it is an offence to cause or knowingly permit a **water discharge activity** unless you are complying with an environmental permit or exemption. Knowingly permitting includes cases where a person (or company) is aware of a polluting incident but refuses to take steps to stop the pollution. If a person is tried and convicted in a Magistrates Court, they could be fined up to £50,000 and/or sentenced to up to twelve months imprisonment. If they are tried and convicted in a Crown Court they could face an unlimited fine and/or be sentenced to up to five years imprisonment.

If the property is rented, it is the responsibility of the landlord for correcting a misconnection. This may be the local council, housing association or a private landlord.

Misconnections are also covered by sections 106 and 109 of the Water Industry Act (WIA) which allows sewerage undertakers to take enforcement action. If a person is tried and convicted in a Magistrates Court, they could be faced with a level 4 fine. Sewerage undertakers can also close off a drain to a house and recover the costs incurred.

What can social housing providers do?

There are over 1600⁴ local councils and housing associations in England controlling approximately 17% of England's entire housing stock. To help play a part in helping to improve our local rivers and habitats for current and future generations, we are asking social housing providers to add misconnections to their maintenance registers. For example, as a tenant moves out, looking for a misconnection would be part of the maintenance inspections undertaken before the new tenants move in (e.g. checking that the pipes a washing machine is connected to are discharging into the correct drain). By adding this check could help avoid future misconnections and would avert breaking the law.

If social housing providers want to provide additional information to their tenants they can also add a link on their web pages to the ConnectRight website. The website is a tool for homeowners and plumbing professionals to quickly diagnose and tackle misconnected pipes - from checking what a misconnected pipe looks like, to a handy checklist to help property owners find out if they have misconnected drains.

² Figures taken from;

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/285001/Dwelling_Stock_Estimates_2013_England.pdf

³ This estimation is from the 2013 UKWIR report on misconnections (Table 8 estimated number of misconnected properties).

⁴ Figures taken from: <http://www.focalresearch.co.uk/news-stats-facts/social-housing/stats-facts/106-how-many-housing-associations-are-there-in-england> and http://www.lgiu.org.uk/local-government-facts-and-figures/#_ftn5

Misconnections are illegal and anti-social, but social housing providers can help join a growing partnership including the Environment Agency, Water UK, the National Misconnections Strategy Group and water companies, in helping to tackle this issue.

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