



ARE YOUR CLIENTS PURCHASING PROPERTIES WITH AN ILLEGAL WATER SUPPLY?

This Information Sheet is designed for:

- Conveyancing solicitors
- Auctioneers
- Estate agents

What is it trying to achieve?

An Awareness that:

- Bristol Water requires all separately occupied new premises or premises where the use has been changed (i.e. domestic to commercial) to be supplied by their own totally independent water supply pipe connected directly to the water main pursuant to Section 64 of the Water Industry Act 1991 (the 'Act')
- An illegal water supply will not be checked for by Planning Authorities before granting consent
- Where a developer who fails to provide separate supplies has disappeared, the buyer is responsible for the full cost of providing a new supply (minimum £1,000).
- An illegal water supply will be picked up by a drainage and water search (CON29 DW) by a solicitor

'The conversion of a house to flats is the most common cause of an illegal connection'

Which properties does this apply to?

- **New Developments** – Newly developed separately occupied premises without an existing water supply.
- **Conversions** – Separately occupied premises created by the conversion of a property with an existing water supply into several parts e.g. flats/commercial premises where after the conversion the several parts will be fed from the same supply pipe.
- **Land Sales** – Separately occupied new premises created by the sale of parcels of land, where after the division, properties or water fittings (e.g. animal troughs) on either side of the boundary will be fed from the same supply pipe.
- **Change of Use** – Separately occupied premises where the use has been changed from domestic to commercial or vice-versa.

What action is Bristol Water taking to stop buyers having to shoulder the cost of separation?

- We typically become aware of a developer's failure to provide separate supplies either when a new buyer asks for a water bill/meter or lets us know of poor flow and pressure at an address that we have no record of existing or ever having a water supply.
- We are therefore committed to raising awareness of the legal requirement for separate supplies through Planning Authorities, architects, property developers, estate agents, auctioneers, conveyancing solicitors etc.

What action can you take to stop your clients having to shoulder the cost of separation?

- Conveyancing solicitors should undertake a CON29 DW drainage and water search on all properties (as recommended by the Law Society) online at www.searches-online.com. Bristol/Wessex Water Searches Team are available on 01225 526206 to assist. In the case of an illegal connection, the search will reveal that Bristol Water has no record of the premises being connected to the mains water supply.
- Where the CON29 DW search is not done at the relevant time and an illegal connection would have been discovered, a solicitor is at risk of meeting the client's cost of the new supply.

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