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YORKSHIRE WATER SERVICES  
LIMITED  
DEVELOPER SERVICES  
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BRADFORD  
BD3 7AY

Fax: 01274 303047

For telephone enquiries ring:  
Linda Lancaster on 0345 120 8482  
(Option 1)

10th June 2022

Your Ref:  
Our Ref: U510431 / LL

Dear John,

**DEVELOPMENT AT: 143 KINDER AVENUE (LAND ADJ) COWERSLEY,  
HUDDERSFIELD HD4 5XD  
DEVELOPER: THE CASEY GROUP  
AGREEMENT UNDER SECTION 104 OF THE WATER INDUSTRY ACT 1991 - H-3-264-  
783**

The design of the scheme is satisfactory for the proposed sewers to be adopted in accordance with an Agreement under Section 104 of the Water Industry Act 1991 and in accordance with the Design and Construction Guidance, Local Practices and Technical Standards contained within the Code for Adoption.

I am pleased to confirm that your site has now been issued **Technical Acceptance**.

**MODEL SEWER ADOPTION AGREEMENT (MSAA)**

You are now able to arrange the preparation of the Model Sewer Adoption Agreement for the site. You have two options:

- I. We can prepare the Engrossed Agreements
  - If you would like us to prepare the Engrossed Agreements, please complete, sign and return the attached (link below) 'Request Form to Prepare Engrossed Agreements', with all supporting information.  
[https://www.yorkshirewater.com/media/aiajpw0f/final-s104\\_engrossedagreement\\_request\\_22-23.pdf](https://www.yorkshirewater.com/media/aiajpw0f/final-s104_engrossedagreement_request_22-23.pdf)
  - Once we are in receipt of the completed form, we will prepare the Engrossed Agreements to be sent out for signing.

- You will be invoiced for this in line with our Charging Arrangements 2022/23.

## 2. You can prepare the Engrossed Agreements

- If you would like to prepare the Engrossed Agreements, please download the Model Sewer Adoption Agreement from our website (link below)

[https://www.yorkshirewater.com/media/txfdsk4m/41390\\_developerapplicationservices\\_modelseweradoptionagreement\\_web-07-09-21.pdf](https://www.yorkshirewater.com/media/txfdsk4m/41390_developerapplicationservices_modelseweradoptionagreement_web-07-09-21.pdf)

- You will need to confirm the details required for the Agreement with us, prior to having them signed by external parties.
- Once they have been signed by all external parties, please return them to us for signing.

Please confirm how you are going to proceed in relation to the preparation of the Legal Agreements.

**Please note that under Code for Adoption a Draft copy of the Agreement is not required.**

### **DRAWINGS**

The drawings that have received **Technical Acceptance** are as follows:

<b>Drawing Reference</b>	<b>Drawing Title</b>	<b>Date of Assessment</b>
1512-P02	Long Section sheet 3	16/03/2022
1011-P03	Manhole Schedule (Foul) sheet 2	26/04/2022
1511-P04	Long Section sheet 2	25/05/2022
1010-P04	Manhole Schedule (SW) sheet 1	25/05/2022
<b>1000-P08</b>	<b>Section 104 layout</b>	<b>10/06/2022</b>
<b>1510-P05</b>	<b>Long Section sheet 1</b>	<b>10/06/2022</b>
<b>1513-P04</b>	<b>Long Section sheet 4</b>	<b>10/06/2022</b>
<b>061-P04</b>	<b>Typical details adoptable assets</b>	<b>10/06/2022</b>
<b>1090-P04</b>	<b>Flow control manhole S3</b>	<b>10/06/2022</b>
<b>1070-P04</b>	<b>Suds sheet 1 of 2 drawing</b>	<b>10/06/2022</b>
<b>1071-P05</b>	<b>Suds sheet 2 of 2 drawing</b>	<b>10/06/2022</b>

- I. Please email all drawings that have received Technical Acceptance to us in PDF format to [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk) (or post a disc / usb to us).
- II. Please also post to us three paper copies of the technical accepted S104 layout drawing no **1000-P08**.

The drawings that are submitted to us for inclusion within the S104 Agreement should be numbered the same as detailed above. If the drawing numbers are changed with no material changes relating to the design please ensure that a note is included within the revision table - 'This plan No..... is the same as the Technically Accepted (Plan No.....), but the reference number has changed to allow issue to site'. If there are any fundamental changes to the Technically Accepted drawings, then these alterations will need to be fully assessed and accepted before the S104 Agreement will be entered into.

**\*\*For this development I draw your attention to clause S.12.4 of the First Schedule to the Model Sewer Adoption Agreement as the downstream sewers to which this site discharges are currently private.**

You will have to incorporate the rights and covenants in the "Fourth Schedule" into the Land Transfer Deed/Agreement, where the transfer of a property or where land has a protected strip or part of it within the land. The Sewerage Undertaker may request a copy of the document for inspection.

### **SUPERVISION FEE**

#### **YOU WILL RECEIVE AN INVOICE FOR ANY PAYMENTS APPLICABLE – PLEASE DO NOT PAY UNTIL THIS IS RECEIVED**

- I. The estimated cost of the sewers to be adopted is **£762101.99** . The 2.5% supervision fee is therefore £19052.55. The developer will be invoiced for this sum and any administration fees due shortly.
- II. A charge of £186 is required for each private connection onto the public sewer(s) (including new adoptable sewer connections to the public sewers). This charge is additional to the 2.5% supervision fees charged by Yorkshire Water for supervision of the adoptable sewer works.
- III. On receipt of the complete 'Request Form to Prepare Engrossed Agreements' I will prepare the Section 104 Agreement. There will be an administration charge of £279 (to include up to three parties to the Agreement). This will be invoiced to the developer.
- IV. Yorkshire Water reserve the right to recover any additional costs in accordance with our Charging Arrangements 2022/23. In this case there will be a charge of £96 minimum for any additional parties to the Section 104 Agreement(s), £311 minimum for a Land Transfer for a pond. These fees will be invoiced along with the supervision fees to the developer.
- V.

### **BOND**

I note that TOKIO MARINE WILL act as the developers surety for the necessary 10% bond of £76,210.20 for inclusion within the Section 104 Agreement.

### **PRE START INSPECTION MEETING**

In accordance with the Code for Adoption (2021), you must now request a **Pre Start Inspection Meeting** with one of our site inspectors. Sewer construction works should not commence on site for the adoptable assets detailed in the Technically Accepted drawings listed above until this meeting has been held.

To arrange a meeting, please complete, sign and return the Request Form (link below) for a Pre Start Inspection Meeting, along with all relevant information including all Health and Safety documents. On receipt of this, we will be pleased to arrange a convenient time for the meeting. The Developer Services inspector at

the meeting will be your dedicated point of contact throughout the construction phase of this site.

[https://www.yorkshirewater.com/media/rb4g3s0w/final-s104\\_prestartinspection\\_request\\_22-23.pdf](https://www.yorkshirewater.com/media/rb4g3s0w/final-s104_prestartinspection_request_22-23.pdf)

Under the provisions of Section 111 of the Water Industry Act 1991 it is unlawful to pass into any public sewer (or into any drain or private sewer communicating with the public sewer network) any items likely to cause damage to the public sewer network interfere with the free flow of its contents or affect the treatment and disposal of its contents. Amongst other things this includes construction materials. Contravention of the provisions of Section 111 is a criminal offence.

Please note any approval under Sections 104 or 106 of the Water Industry Act 1991 is not an acceptance in respect to any planning conditions imposed under the Grant of Planning permission. The actual drainage conditions have been set via Yorkshire Water's Land and Planning team. Written confirmation from this team is required detailing the allowable discharge rates from the site which is still outstanding.

If you would like to discuss any of the points contained within this Technical Acceptance letter, please do not hesitate to get in touch.

Yours faithfully

**Linda Lancaster**  
**Adoptions Technician**  
**Sewer Adoption, Diversion and Requisition Team**  
**Developer Services**

cc: [Mark.Barnes@Casey.Co.Uk](mailto:Mark.Barnes@Casey.Co.Uk)



Linda Lancaster  
**Sewer Adoption & Diversion Technician**  
**Developer Services (Customer Experience)**  
07870 483289  
[Yorkshirewater.com/developers](https://www.yorkshirewater.com/developers)  
My working days are: Tues, Wed, Thurs, Fri