Septic Tanks in Wales - Client Guide

Sewage discharges | Registration required | Upgrading may be required

Registration & Permits

Deciding whether you need a permit for a discharge from a septic tank or sewage treatment plant to groundwater or surface water (or whether an exemption applies) is a complex matter.

Natural Resources Wales publish a useful PDF Guide that you can download from their website, but, unfortunately, to find it you have to make an internet search for "guidance registration of small sewage effluent discharges" as they have decided not to make it readily available on their main website.

Please see the extracted flowchart shown on page 3 of this guide.

A specialist drainage adviser can clarify these requirements for you and deal with any application for a permit or registration of an exemption from a permit.

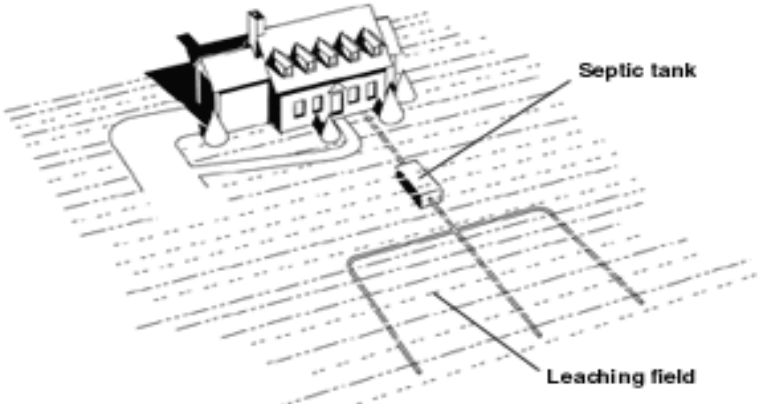
They can also advise you on the cost or time-scale for carrying out any necessary work or connecting to the public sewer system where needed.

We cannot help you with this as we are not experts in drainage issues.

Running a septic tank

You can download a maintenance guide on how to run your household septic tank or small sewage treatment system (and a logbook) from Natural Resources Wales' website.

Unfortunately, to find it you will have to look under 'Permits and permissions>water discharges and septic tanks', or search on their website for "running and maintaining a septic tank", since links to the relevant page on their site do not work.



Alternative sewage arrangements to mains sewers

If your house is **not** connected to the mains sewer, your sewage will go to one of the following:

- A **septic tank** - an underground tank where the solids sink to the bottom and the liquid flows out and soaks through the **ground**, usually through a soakaway or infiltration system such as a drainage field. The remaining sludge must be removed every year or so,
- A **small sewage treatment plant** (also known as a package treatment plant). This is a part-mechanical system that treats the liquid first so that it is then clean enough to go into a river or stream, or into a soakaway,
- A **cesspool**, or cesspit - a **sealed** tank that collects the sewage, that is pumped out and taken away for disposal by an approved contractor,
- A **non-standard system**, such as a 'reed bed' or 'trench arch' system. These may need a permit from Natural Resources Wales ('NRW').

The owners of some houses that have septic tanks that discharge directly into 'surface water' (such as brooks, rivers, etc.), will need to replace or upgrade the treatment system so that it doesn't drain directly to surface water without some form of pre-treatment. They may even need to connect to mains drainage.

Registration - Septic tanks and sewage treatment plants

In Wales (unlike in England) all discharges to surface water or groundwater from septic tanks or sewage treatment systems must either have a permit or register an exemption from the need to have a permit with NRW. We have a separate guide on the legal requirements in relation to sewage discharges in England.

Householders in Wales must also keep the maintenance records relating to sewage disposals from septic tanks or small sewage treatment plants for 5 years.

Where to get specialist advice on drainage issues

We cannot give advice on drainage issues. If you have any queries you should talk to your surveyor, or Natural Resources Wales or find **an accredited service engineer** from this link:

https://www.britishwater.co.uk/directory/findengineer.aspx

Cesspits or cesspools

If you have a cesspit then you must maintain it and make sure it is regularly emptied as needed (perhaps every 2 weeks in some cases) by a registered waste carrier. You must make sure it does not leak or overflow. The NRW or your local council can make you repair or replace your cesspit if it is in poor condition. Cesspits do not need registration nor a permit.

Information for buyers

You must give your buyer the following details of the septic tank or treatment system:

- A description of the system,
- The location of the main parts of any treatment plant, drainage system and discharge point,
- Details of any changes made to the system,
- Details of how any treatment plant should be maintained, and the maintenance manual if you have one,
- The last 5 years maintenance records,
- You should also set out the conditions that the sewage treatment plant or septic tank must meet to satisfy any registration of an exemption.

New owners duties

There is no need to inform NRW if the property is sold or a lease is granted, and a new occupier takes over responsibility for the discharge.

When you take ownership of the property you will be responsible for making sure that the sewage system complies with any permit or exemption.

You must either make sure that the current owner fixes any problem as a condition of sale, or possibly negotiate a price that takes into account the repairs or changes to upgrade the system you will need to make when you take ownership of the property. Your specialist adviser will also be able to tell you whether it will be necessary to obtain planning and building regulation approval for the works. If so, you should ensure this is obtained before proceeding with the purchase.

Mains drainage?

Where 2 or more properties need to upgrade or replace their drainage systems, the drainage authority may have a duty under s.101A of the Water Industry Act 1991 to build and pay for a new public sewer for them.

If you think this might apply, you should get further advice from the drainage authority, NRW, or your specialist adviser.

No discharges directly to surface water

Discharges from septic tanks **directly** to surface water are **not allowed** in Wales. You may have to install a drainage field, connect to main drainage or replace the septic tank with a small sewage treatment plant (which will treat the waste before it is allowed to discharge to surface water). Direct discharges to groundwater will need a permit or exemption, and in some cases will need to be pre-treated too.

Upgrading works and the responsibility/cost

In Wales**,** NRW does not have a specific date by which a septic tank discharging directly to surface water needs to be upgraded. NRW considers that any upgrade could be done as part of the permit application, or the permit could include an improvement condition requiring the upgrade to be carried out at a later date.

If you are buying a property with a septic tank that currently discharges directly to surface water, we suggest you negotiate with the seller as to who will have the responsibility for the replacement or upgrade of the existing sewage system. We suggest you, your agents, or your specialist drainage adviser negotiates this for you. We can then put the agreed terms in the sale contract. We would not be able to deal with this negotiation for you as we are not experts in drainage works.

Selling a property with a septic tank

Since 1 January 2015, an owner of the property with a septic tank or small sewage treatment plant is required to provide the purchaser with a written notice giving details of the discharge and a description of the waste water system. See the side panel on the left of this page for details. In most cases this information is included within property information forms that are completed as part of the conveyancing process.

The system is very old - do I have to replace it?

As long as a waste water system is functioning well, meeting the needs of the household or business, complying with any permit or exemption, and not causing pollution, there will be no need to change it. If a septic tank, cesspool, or other sewage treatment system leaks or releases pollution to water or land the owner or users could be liable to prosecution and enforcement action. They could also be liable to any adjoining owner for causing nuisance.

Checklist

Anyone considering buying a property with a septic tank, or sewage package treatment plant, or cesspit should satisfy themselves that it:

- Is in working order,
- Has sufficient capacity to serve the number of occupants of the property,
- Does not cause pollution,
- Complies with any relevant permit, exemption, planning legislation or building regulations,
- Has an easement where any part of the system is on adjoining land, and enforceable rights of access to maintain and replace it,
- Has a written maintenance agreement where any part of the system is on adjoining land and managed jointly with another landowner or by a third party. Also in that case, are there enforceable cost-sharing provisions?

Cost considerations

Some costs may be involved in:

- Upgrading or replacing the septic tank, if it does not meet the standards required under the Environmental Protection Regulations 2016,
- Engaging a surveyor or engineer to inspect the septic tank or sewage system to confirm that it meets the requirements and criteria for any exemption, the quantity of discharge, and any ongoing maintenance inspections or work,
- Applying for an environmental permit if not exempt.

These costs are, of course, not included in any quotation we have given you.

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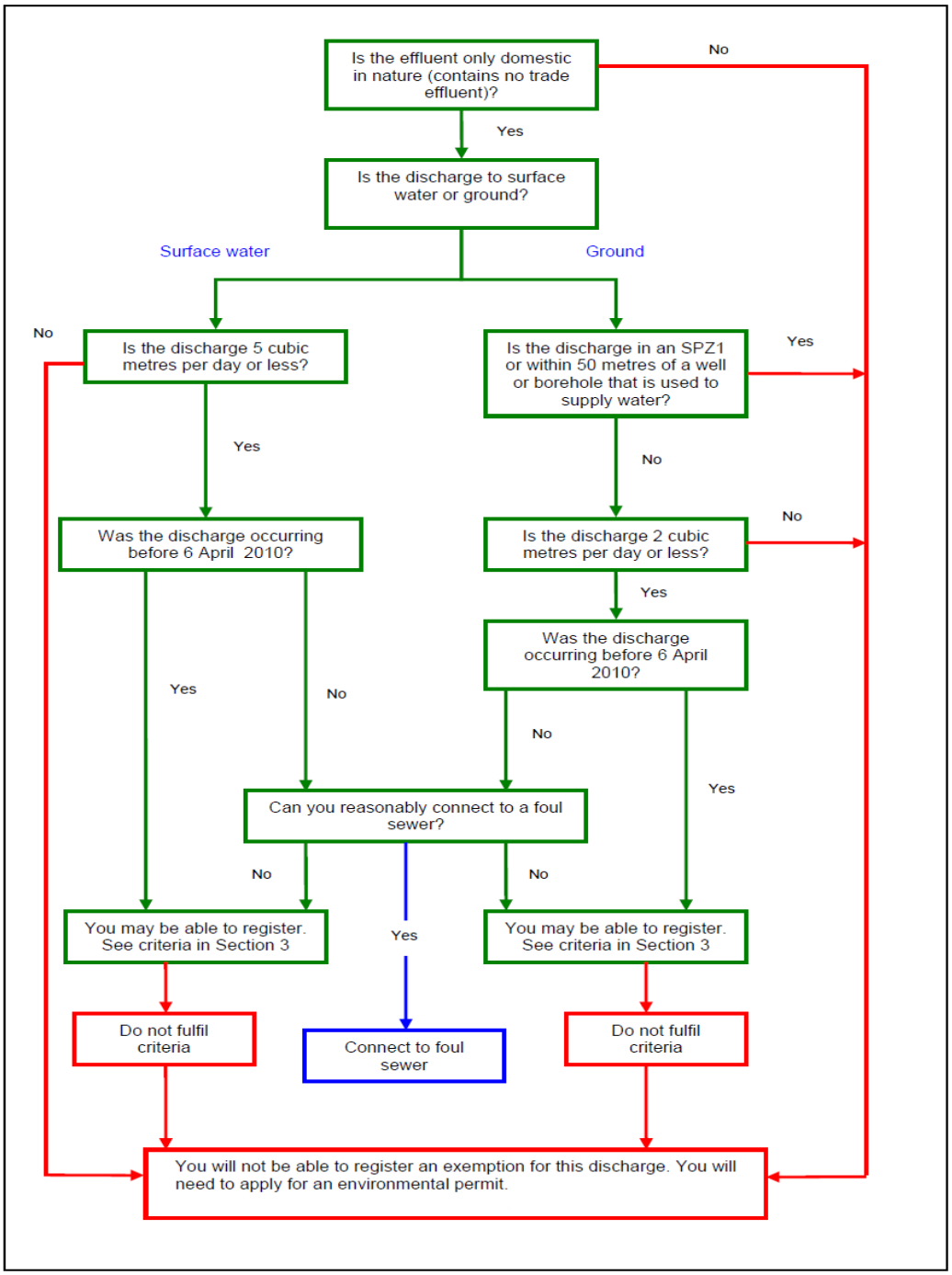
Flowchart - Registration of Exemption or Apply for a Permit?



Source - Natural Resources Wales. P. 10 "Guidance for the registration of small sewage discharges"

Permits or registration of Exemption

In general, most domestic houses will be able to register an exemption from the need for a permit for a septic tank (provided it does not discharge directly to surface water), or for a small sewage treatment plan which pre-treats the sewage before it is discharged to groundwater or surface water. Registration of the exemption is free.

The 'Reduced Application Charge' for a permit, if needed, is around £125 and at present there is no annual charge.

However where there are, for example, more than 33 individuals served by a discharge to surface water (or 13 individuals where the discharge is to groundwater) a higher application charge applies, and in some cases a bespoke permit and annual charge may be payable. This might apply where one sewage system serves a block of flats or a number of properties.

Your specialist drainage adviser can advise you further as we are not experts in this area.