

SCHEDULES

SCHEDULE 3

INNER LONDON

PART III

BUILDING AND DRAINAGE OF BUILDINGS

- 7 (1) It is not lawful in an inner London borough—
- (a) to erect a house or other building, or
 - (b) to rebuild a house or other building that has been pulled down to, or to a level below, the floor commonly called the ground floor,
- unless—
- (i) there are provided to the satisfaction of the borough council drains conforming with the requirements of this paragraph, and
 - (ii) all such drains and all works and apparatus in connection with them are constructed to the satisfaction of the council and, in particular, are constructed of such materials and size, at such level and with such fall as are approved by the council, and are provided with a water supply.
- (2) In an inner London borough it is not lawful to occupy a house or other building that has been erected or rebuilt in contravention of sub-paragraph (1) above or of paragraph 13(1) of Part III of Schedule 9 to the London Government Act 1963.
- (3) In order to conform with the requirements of this paragraph, a drain must provide for the drainage of the house or building in connection with which it is required—
- (a) into such sewer, situated or intended to be constructed near the house, building or site, as the borough council may direct, or
 - (b) if no sewer is or will be available for the drainage of the house or building, into such covered cesspool or other place, not being under any house or other building, as the council may direct,
- and the drains must secure efficient drainage by gravitation at all times and under all conditions of all parts of the house or building, including any areas, water-closets, privies and offices belonging to the house or building.
- (4) In rebuilding in an inner London borough a house or building that has been pulled down to, or to a level below, the floor commonly called the ground floor—
- (a) the level of the lowest floor of the house or building shall, subject to sub-paragraph (5) below, be raised so far as may be necessary to allow of the construction of such works as are required by this paragraph, and
 - (b) for that purpose levels shall be taken and determined under the direction of the borough council.
- (5) Notwithstanding anything in the foregoing provisions of this paragraph, where it is proposed to erect or rebuild in an inner London borough a house or building at

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such a level as will not allow of the drainage of all parts of the house or building by gravitation as aforesaid, the borough council may, as respects any part of the house or building that cannot be so drained, either—

- (a) allow that part to be constructed so as not to require drainage from it, or
- (b) allow that part to be drained by means of such pumping or lifting apparatus as may be provided to the satisfaction of the council,

and any pumping or lifting apparatus provided under this sub-paragraph is deemed to be a drain.

- (6) Where separate sewers for the reception of surface water and sewage respectively have been, or are intended to be, provided in a street, the borough council may, in the discharge of their functions under this paragraph in relation to a house or other building that is to be drained into the sewers in that street, require that the house or building be provided with separate drains for discharging surface water and sewage respectively into the appropriate sewers.
- (7) A person aggrieved by a direction, requirement or other decision of a borough council under this paragraph may appeal to a magistrates' court.