

# Our codes of practice.

Private land  
pipelaying



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# Private land pipelaying.

- 1 Our Codes of Practice (The Code) set the standard for our powers and duties in laying and working on private land, or preventing contamination of the water in our pipework. We also explain what you, as the landowner and/or occupier, can expect from us. We've prepared our Codes of Practice under section 182 of the Water Industry Act 1991 (The Act) which the Secretary of State has granted approval of. The Act allows us, and in some cases requires, us to carry out our works and sets rules for us to follow when we lay, alter or maintain pipes and accessories.
- 2 Before we lay a pipe, we need to plan a route. When we do this, we have to consider:
  - the directness of possible routes
  - the cost (both of laying and maintaining the pipe) and the amount of compensation which we may have to pay
  - the disruptive effect of our works (to traffic, businesses and people)
  - engineering questions
  - the appeal of achieving gravity flow
  - avoiding sites of environmental importance
- 3 If we need to do this, we'll always discuss this with you to first to minimise any potential damage. This isn't always possible and we'll compensate you for loss or damage caused by our work. Once our works are finished, we'll be sure to restore the land to as near to it's original condition as possible.
- 4 We'll always comply with The Code and any other relevant legislation wherever possible and whenever practical. If we can't, we'll always explain why. The Code doesn't affect any other rights or powers that you or we have.
- 5 We'll always comply with The Code and any other relevant legislation wherever possible and whenever practical. If we can't, we'll always explain why. The Code doesn't affect any other rights or powers that you or we have. Particular provisions may not apply when we do work on a supply pipe. Although The Code isn't needed for works done in connection with surveying, we'll always try and comply with the provisions where we can.
- 6 This Code is in three sections and describes what happens:
  - before our work begins
  - during our work
  - after our work has been completed.

# Section one – before our works

## Our surveying and making of trial holes

- 7 When we know that a new pipeline is needed, we may need to survey possible routes. This is so that we can work out the best route and the method to lay the pipe. Unless it's an emergency or we've agreed a shorter time frame, we'll give you seven days' notice before we start anything.

If we need to make any exploratory trial or bore holes to determine the type of soils and geology below the surface of your land, we'll tell you and we'll disturb the land as little as possible. If we're unable to fill in the hole immediately, we'll secure it and fence it off if we need to. You can claim compensation for any loss of revenue because of restricted access and use of the land.

## Consultation and notice of works

- 8 We have to give you formal notice of when we want to carry out works on your land and we'll have to give you this in writing along with a plan. These documents will give you information about where we plan to lay or carry out work on the pipe, the extent of the working area and when we're planning to do the work.

We suggest filing our notice with the deeds of your property so that any future owners know of our pipe and accessories.

- 9 We'll begin our works using our statutory powers of entry after we've discussed this with you. All our works will be carried out in line with The Code.
- 10 If we need to lay a new pipe, we'll always try to contact within three months' notice unless it's an emergency or we're responding to an official order. When we're responding to an official order to lay a pipe, we'll always try and give you as much notice as possible, which is normally a minimum of 21 days.
- 11 If our works involve changes to an existing pipe, then, unless it is an emergency, we will give you at least 42 days' notice. When we want to carry out routine maintenance, repair or adjustments to the pipe, we'll give you reasonable notice, normally at least seven days (unless a shorter amount of time is agreed with you).

12 We'll always try to discuss this with you before we serve our notice, but if we don't, we'll talk about our plans during the notice time and we'll ask for information about:

- ownership and occupancy of the land. It would be helpful for us to know about any change of occupier or owner
- any proposals you have for developing the land - such as building any permanent structures or current planning consents
- known pipes, cables, equipment or structures below the ground - anything that could affect the timing of our works
- the location of springs, wells, cesspools, septic tanks or land drains and in particular any deep land drainage system (paragraph 35)
- any harmful materials, liquids and vegetation in the area where we'll be working, any contaminated land or if the land has been exposed to any plant or animal diseases
- any areas with special needs, for example Sites of Special Scientific Interest (SSSI), protected flora and fauna, archaeological considerations, public rights of way, trees subject to preservation orders or conservation areas
- planned cropping and stocking
- any other factor which you believe is relevant or will affect our works and that we may have to compensate you for.

13 We'll consider all of the above, as well as any suggestions you and adjacent landowners affected by our plans might have and discuss them with you, this includes:

- the route of the pipe
- the timing of the works
- the reinstatement of the land and land drains

When we're making a final decision about the route, we'll have taken the following into account:

- engineering and operational needs
- the long and short term costs of the works
- any comments or suggestions you or your agent make

If we're unable to agree to any of your suggestions or objections, we can explain why in writing for you.

14 Our period of notice allows for any objections you might have to be considered before the end of that time, where we've hopefully reached an agreement. We need you to know that if we're not allowed access to your land following our notice, we're able to apply for a warrant from a Magistrate to gain access.

- 15 When we start our works, we'll keep as close as possible to the planned route, if we're unable to do this, we'll let you know. If we need to make significant changes and you don't agree to them, we'll provide a new notice.
- 16 If our works do not start when we've confirmed they will, we'll let you know about any changes. When we've agreed a new starting date, we'll be able to provide an idea of how long our works and any reinstatement will take. When we've agreed a new starting date, we'll be able to provide an idea of how long our works and any reinstatement will take.

Once we've provided a notice, you shouldn't make any changes to the land we're working on as it may slow or stop our proposed works. However, you should continue any normal agriculture work up to when we enter your land.

## Timing our works

- 17 We'll carry out our works when they'll cause the least damage to your land, within engineering, operational or other restrictions.

## Claiming for compensation

- 18 You may be entitled to claim compensation from us if we cause any permanent loss in value of your land because of our pipes or works (see paragraphs 57-60).

## Having an agent

- 19 You may want to have an agent, such as a surveyor, to advise you on our proposals, protect your interests and to assess and agree on any claim for compensation. We'll accept if you'd like to do this when our work involves laying pipes and we'll pay reasonable costs of your agent's fee after we've settled any claim.

The maximum payable will be based on a standard scale of professional fees, known as Ryde's scale. If you want more information about this you should check with your agent. We don't usually pay legal fees unless we ask you for a formal easement document that requires more work.

## Your condition of land record

- 20 We'll make a full schedule of condition for the working area, including any buildings nearby, any accesses and any compounds. This will include written notes, photographs or video recordings with spoken commentary.

We'll send a copy to your agent or yourself before our works start, if we've missed anything, please let us know, We do this to make sure we've restored your land to as near to it's original condition as possible (unless you've asked us to consider alternative plans and any buildings remain in the same condition).

- 21 If you have deep land drainage you should let us know before we start our works (see paragraphs 35-37 on land drainage).

## Our contact list

- 22 Before our works start, we'll give you the names, work addresses and telephone numbers of the works' supervisor, who will usually be available during working hours. We'll also give you an emergency telephone number just in case your usual point of contact isn't available.

## Locating our pipes and equipment

- 23 We lay our pipes below ground (usually with 900 millimeters of cover) so they're protected from frost and not interfering with agricultural operations.

Sometimes, engineering issues such as rocks in the way stop us from laying them where we'd like. If this happens, we'll let you know and place permanent marker posts at field boundaries to show any pipe or chamber locations. We may find other cases where some locations aren't available.

- 24 Generally we put all of our pipes and accessories below ground level. However, when we install a manhole or accessory that's raised or at ground level, we'll try to place it where it will cause little interference with your land's current or future use.

For engineering reasons, we need to install manholes at regular intervals where a sewer changes direction or depth. We may also need to install air valves at high points on pressure mains and washout valves at low points. Where we need to install an accessory at or above ground level we'll always discuss this with you first.

- 25 When we install a manhole or accessory that's raised or at ground level, we'll try to place it where it will cause little interference with your land's current or future use.

## Section two - during our works

### Our supervisory standards

- 26 We'll make sure that anyone working for us on your land is properly supervised and doesn't go outside the working area. If you've told your point of contact about anything that needs special attention, they'll make sure it's made clear to their team.
- 27 Except in an emergency, we'll let you know in advance if we need to work near to residential areas during the following times:
- bank holidays
  - weekends
  - between the hours of 7.30pm and 7.30am

### Our own access

- 28 We know it's important for you to have access to your property and, where possible, we'll let you have access to your stock or vehicles within our working area. If our works cut off access to part of your property, we'll let you know before we start them and, where we can, provide agreed foot crossings, gates, steps or stiles.
- 29 If it's possible, existing access affected by our work will be kept open unless it'd be better to provide an alternative. If we need to share an access point with you, we'll make sure to keep it as clear and clean as possible. We'll also make sure our works cause little interference with existing points of access for emergency vehicles.



## Access for ourselves

- 30 Normally, we'll gain access to our works from a public highway near to our working area. However, if we need to access our works from another route, we'll discuss this with you first and include it in our notice (unless it's an emergency).
- 31 We won't construct any permanent gates, steps or stiles between your land's boundary and a highway, public path or neighbouring land without your consent or your neighbours'.

## Your property's security

- 32 Before we start our works, we'll let you know if the working area needs to be fenced. If your land is next to livestock, we'll put up a stockproof fence and make sure it's maintained throughout our works.

We'll put up straining posts at junctions where our fencing meets existing fencing and make sure both are secure. If any livestock strays through, we'll give consideration to claims for loss or damage.

For safety reasons, we can't give you normal access to the working area, however, if it's necessary that you do, we can allow it.

## Replacing your topsoil

- 33 We'll preserve the structure of the soil and when we strip the topsoil, we'll store it separately from other excavated materials and we won't compress it with our machinery. When we've finished our works, we'll carry out subsoil preparation before we replace the top soil and be sure to replace as much of the excavated topsoil to the condition and depth that it originally was.

We won't leave any large stones that we excavate on the surface and we'll replace any topsoil that we've excavated, but can't return to the land, with soil of a similar nature, structure and quality.

## Your trees and hedgerows

- 34 Wherever possible we'll avoid felling or lopping any mature trees, but we'll consult you first if it's unavoidable. If trees are subject to a preservation order and hedgerow(s) subject to The Hedgerows Regulations 197, or are in a conservation area, we'll be sure to contact the relevant authorities and accept their conditions. If we've felled any mature trees, they'll remain on your property, however, if you'd prefer, we'll dispose of them if a reasonable request is made.

## Your land drainage

- 35 We'll need to know about any records of existing land drains as we'll need to talk to you about any reinstatement work to the land drainage system if our work affects it. We need to know because it may be included in our planning, if there's an extensive land drainage system, we may need to speak to a land drainage consultant about a correction plan.
- 36 If we find a land drainage system during our works which we're not told about, we'll let you know. We'll also do our best to replace it to the same standard if we happen to disturb it. We'll try and lay our pipe under any land drainage system and we'll be sure to tell you of any replacement work and give you an opportunity to inspect the site.
- 37 We'll make records, which may include photographs of land drains disturbed and any correction work we've carried out. If you'd like a copy, please let us know. If we need to build any land drains in new locations, we'll discuss this with you and let you inspect the area. We'll also provide you with a record of our work, if you'd like to file a copy with your deeds.

## Watercourses

- 38 If our pipe crosses beneath a watercourse, it'll be laid according to the requirements of the Environment Agency and Internal Drainage Boards. If there are no requirements, the top of the pipe will be at least 300mm below the original cleared bottom of the watercourse and we'll cover it by concrete.
- 39 If our works affect any watercourse that your land drains to, we'll discuss our plans with you and make sure it remains as effective for land drainage after our works are finished.

## Water supplies and other services

- 40 If we interrupt or damage any water or other service supplies in our working area, we'll repair the damage and provide a temporary alternative as soon as we can. All possible steps will be taken to prevent pollution of any water supplies or watercourses, and we'll arrange for samples to be analysed if it's likely that we'll interfere with private water supplies.

Any levels from these private water supplies will be recorded before and after our works if you've highlighted this to us.

## Areas affected by disease

- 41 If our working area is infected by a disease under the Animal Health Act 1981 (such as foot and mouth), we'll follow requirements from the Department for the Environment, Food and Rural Affairs (Defra). If we've made an emergency entry, we'll take all relevant precautions and if Defra have given us any requirements to avoid the spreading of infection, we'll be sure to comply.

## Fishing and sporting rights

- 42 Neither our staff nor our agents will be allowed to carry firearms on the working area. We will not bring animals onto the site (with the possible exception of guard dogs, subject to the Guard Dogs Act 1975).
- 43 If there are fishing or sporting rights next to our working area, we'll take care and make sure we cause as little disruption as possible.

## Our own facilities

- 44 If we bring any huts or caravans to the working area, on your land, they'll not, except where there is a security risk, be used for overnight accommodation without your permission. We'll provide sanitary equipment and welfare facilities for our employees.

## Private agreements

- 45 If you make any agreements directly with our employees, we need you to know that we'll not be responsible for any consequences and we can't intervene in any agreements made between yourselves and our employees.

## Explosives

- 46 If we store or use explosives, we'll give you notice and let you know when explosions may be expected. We won't use them at weekends, bank holidays or between 7.30pm and 7.30am unless it's essential.

## Cathodic protection

- 47 If we provide cathodic protection for any part of our works, we'll also take steps, to safeguard buildings and structures near our works.

## Temporary support

- 48 If, during our work, any of your buildings, structures or equipment need temporary underpinning or support, we'll let you know and provide any protection and support.

## Fossils and articles discovered

- 49 If we find any fossils or articles during our works, we'll let you and the appropriate archaeological authority know and we'll not keep them as our own. We have to protect and conserve any objects found and we may involve an archaeologist to examine the works, but we'll let you know first.

## Section three – after our works

### Reinstatement

- 50 We'll always try to cause as little damage as possible and we'll restore your land so it's as close to the original condition as possible.
- 51 We'll take away all our tools and equipment as well as any surplus excavated material, unless you ask us not to and it's legally possible. We'll leave our site clean and tidy and when we hand back the area to you, we'll arrange a joint inspection to make sure you're happy with it's condition.
- 52 If we've damaged or removed any fence, bank or wall, we'll repair or replace it. If we've damaged a hedge, we'll replant it with an appropriate species along with a fence so it can grow. Alternatively, we can compensate you.
- 53 If our works have been in a garden area, we'll do our best to make it look as it was before our works. If we need to, we'll use a garden landscaper to restore your garden or agree compensation with you in advance if you'd prefer to do this yourself.
- 54 Before restoring agricultural land, we'll agree with you what subsoil preparation is needed before spreading the topsoil.
- 55 If a land drainage system is not adequately restored, we'll seek the advice of an independent land drainage specialist or alternatively, we may compensate you.

## Our pipe's information

- 56 We'll let you know in writing of the position and depth of the laid pipe if it has less than 900mm cover and let you know what land needs protection. The width of the area will be kept to the minimum possible and will be just enough to allow us access to work on the pipe if we need to. In order to avoid damage to the pipe and to allow us access, we'll give you information of activities that can't be carried out in the area without our permission, including planting of certain tree types and construction, but it won't prevent normal agricultural operations.

## Our compensation policy

- 57 You may be eligible for compensation if we've caused permanent loss in the value of your land from laying our pipes. You may also be eligible if you've suffered any of the following:
- temporary losses
  - disturbance because of our works
  - damage to your property that we haven't been able to put right

Disturbance compensation will only be paid for costs which are directly and unavoidably incurred as a result of our work. If significant disturbance occurs, you should keep your contact informed and let him/her know if you're likely to have additional costs.

We recommend keeping a diary of events and if you appoint an agent (paragraph 19) they're able to prepare and negotiate your claim for you which we'll treat confidentially.

- 58 If you, or your agent, ask us in writing, we'll pay an advance of 90% of our assessment of your loss within three months of receipt of your quantified claim and evidence of your entitlement. Interest may be payable on your claim and your agent will be able to advise you about this.
- 59 If the level of compensation cannot be agreed after negotiation, the matter can be referred to the Lands Tribunal or some other form of independent alternative dispute resolution agreed between us. We need you to know that we won't pay your agent's fees to prepare your case and it's the Tribunal's decision if and how costs should be awarded.

- 60 If you'd like to develop the land in the future, the Act makes provision for you to ask us to alter or move the pipe at your expense. If your request is reasonable, we have a duty to comply.

## Making a complaint

- 61 When we're working on your land, we try to cause as little disruption as possible and we expect our employees to be polite, considerate and helpful. If this isn't the case, please get in touch with your named contact, or you can contact our Customer Centre on 0800 316 9800. Lines are open 24 hrs a day, 365 days a year.

Or write to us at:  
Thames Water Customer Centre  
PO Box 286  
Swindon  
SN38 2RA

If you're unhappy with our response, your complaint will be reviewed by our Customer Services Director.

- 62 If you wish to take the matter further, you can call Ofwat on 0121 644 7500 or write to them at:

The Office of Water Services  
Centre City Tower  
7 Hill Street  
Birmingham  
B5 4UA

- 63 Ofwat has a duty to investigate complaints about how we've completed our works on private land and, if appropriate, make an award of up to £5,000. They cannot investigate disputes about the amount of compensation, but they have issued an information note about dealing with these complaints and this is available from them on request. Complaints to Ofwat should normally be made within 12 months of the dispute in question.

# Appendix

## Definition of terms

Working area	The area including the land which Thames Water requires in order to carry out the works as specified, notified or agreed in accordance with Section 1 Clause 2 of this Code.
Requisition	The provision of a sewer or water main under the provision of the Water Industry Act 1991, usually in response to a request from developer.
Accessories	Includes any manholes, ventilating shafts, inspection chambers, settling tanks, washout pipes, pumps, ferrules or stopcocks for the water main or sewer or other pipe, or any machinery or other apparatus intended for use with the sewerage or water supply systems.
Pressure main	A water main or sewer in which the flow is pumped, as opposed to gravity flow.
Cathodic protection	A low voltage electrical protection system designed to prevent corrosion of the pipeline.

# Contact us.



**Online**  
[thameswater.co.uk](https://www.thameswater.co.uk)



**By telephone**  
**0800 980 8800**  
Monday to Friday 8am to 8pm  
Saturday 8am to 6pm

Textphone service if you are deaf or hard of hearing:  
**0800 316 6899**

## Water and wastewater services

For water and wastewater enquiries, emergencies and other non-billing enquiries, you can call our team 24 hours a day on:  
**0800 316 9800.**

Textphone service if you are deaf or hard of hearing:  
**0800 316 9898.**

To contact us from abroad:  
**+44 1793 366011**



**By post**  
Thames Water, PO Box 286, Swindon SN38 2RA

