

1. Introduction

The Ofwat Code for adoption for water and sewerage companies operating wholly or mainly in England (“the Code”), Water UK have produced Sector Guidance (SG) which includes revised procedures, service levels, adoption agreements and design & construction guidance. The code and the SG states the requirement for United Utilities to consult with our stakeholders for any of our local practices.

The original local practice for easements was published in April 2020 following thorough consultation and presented that a deed of grant will be required on new sewers proposed for adoption in the following situations:

- Surface water discharges to a canal, pond lake or Watercourse
- New & existing sewers proposed to be located outside of an adoptable public highway.
- Sewers that form part of another feature (SuDS).

A further consultation took place between October and December 2022 and looked to gain customer views on amendments made to scenario 3 only, relating to easements for sewers that form part of another feature (SuDS). The easement documents in scenario 1&2 remain unchanged.

There are new clauses within the SuDS Deed of grant requiring the grantor to undertake work in accordance with an agreed ‘maintenance & management plan’ and restrictions on not making alterations to it without agreement with UU. If there is to be any further disposal of land where the SuDS resides there is now a requirement to agree this with UU through a deed of covenant, this is to ensure that we can enforce the obligations under the deed if the land changes ownership. See appendix 3 Deed of grant on site sewers and SuDS.

The consultation was published on the website for an eight week period and all main stakeholders were invited to view the consultation by email for asked for their views with suggested consultation questions (see section 3).

2. Our approach

We are proposing that all adoptable assets located outside of the highway will require an easement, the width of the easement will depend on the size and depth of the sewer.

Table 1:

Easement minimum distances from building / structures for sewers proposed for adoption that are not located within the adoptable highway

Sewer Diameter / size (mm)	Less than 150	150 - 299	300 - 449	450 - 600	601 - 749	750 - 924	925 - 1000	1001- 1124	1125- 1399	1400 or greater	Box culverts
Depth to Invert of sewer (m)											
Less than 3.0	3.0	3.0	3.0	3.5	3.5	4.0	5.0	5.0	5.0	5.0	4.0m from centreline or 2.0m from outside edge
3.0 to 4.0	3.0	3.0	3.0	4.0	4.0	5.0	5.0	5.0	5.0	5.0	5.0m from centreline or 2.5 from outside edge
4.0 to 5.0	4.0	4.0	4.0	5.0	5.0	5.0	6.0	6.0	6.5	6.5	6.0m from centreline or 2.5m from outside edge
5.0 to 6.0	5.0	5.0	5.0	6.0	6.0	6.5	6.5	6.5	6.5	6.5	6.0m from centreline or 2.5m from outside edge
6.0 to 7.5	6.0	6.0	6.0	6.0	6.0	6.0	6.5	6.5	6.5	6.5	6.0m from centreline or 2.5m from outside edge
7.5 or greater	4.0	4.0	4.0	4.0	4.0	5.0	5.0	5.0	5.0	6.0	6.0m from centreline or 2.5m from outside edge

Note 1: *SuDS meeting the definition of sewers see (sewerage sector guidance appendix C, part C3.4), will have a minimum protection strip covering the footprint of the asset and extending 2m around the perimeter of the feature from the top of the bank, further requirements may be necessary depending on site specific details and should be discussed with UU.

Why United Utilities have chosen to take this approach for its local Practice for Easements?

The approach taken to securing easements over sewer pipelines is one that customers in the region are familiar with, which allows developers to plan prospective developments with certainty over drainage design.

The sewer pipe easement widths have been determined in line with our current approach shown in table 1 (depending on sewers size and depth). The approach gives United Utilities ability to maintain all assets efficiently, protecting ongoing services for customers upon adoption whilst preventing unforeseen inconvenience and creating an unnecessary cost burden for all wastewater service charge bill payers.

In terms of sewers that form part of another feature (SuDS) our easement approach gives developers the ability to retain responsibilities such as landscaping and aesthetics which may form part of the developers street scene ambitions, brand or planning requirements. The easement will allow UUW to reserve rights that will allow us to effectively carry out our statutory duties to operate, maintain and drain.

3. Consultation questions and responses

During our consultation we published the set of questions listed below and invited responses from our stakeholders on our approach for our easement local practice. We did not receive any replies to this consultation or the questions listed below.

Question 1 – Do you agree with our approach to a local practice on easements?

Question 2 – Have we presented the easement local practice in a transparent way?

Question 3 – Do you agree that our approach is fair and proportionate to balance needs of developers and existing customers?

Question 4 – Do you agree that our approach to easements on sewers that form part of another feature (SuDS), will maintain a competitive arena for management companies that are set up for new developments?

Question 5 – Do you agree that our approach is predictable and transparent to allow you to effectively plan your development?

4. Consultation outcome

We did not receive any responses to the consultation and as such we would consider there is a reasonable justification to continue with our amendments for our easement local practice. The methodology will remain unchanged from those set out in our initial consultation, we will publish the updated local practice on 1st January 2023.