

Requirements for Easements

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YorkshireWater

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General

The purpose of this document is to outline Yorkshire Water’s requirements for easements for surface water discharges to watercourse, bodies of water, sewers and sewerage assets laid within third party land, in line with the Codes for Adoption Agreements (“the Code”).

This document covers the requirements for sewers proposed for adoption by Developers that are not located within an adoptable or adopted public highway in accordance with the Design and Construction Guidance (DCG) contained within the Code.

Definition of an Easement

An easement is a legal right affecting land which we take for sewers and sewerage assets laid in private land. It also places restrictions on what can and cannot be done on the easement strip for the overall protection of the public sewerage network.

The easement will contain details of Yorkshire Water’s rights to enter third party land to inspect, maintain, repair, renew or replace sewers or sewerage assets laid as part of the adoption process.

It also places restrictions on the use of the land such as no building within the easement strip (see Table 1 on page 5 for typical widths) or altering ground levels of the easement strip which protect the network of public sewers and our right to access them.

The easement is registered at the Land Registry. All of this is dealt with by our In-House Legal Department alongside Developer’s advisors.

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Requirements for Easements

A Deed of Grant of Easement will be required on new sewers proposed for adoption in the following circumstances:

- Surface water discharges
- New sewers or sewerage assets laid in third party land

For all of these situations, please refer to the Fourth Schedule – Rights and Covenants to be incorporated in a Deed of Grant of Easement pursuant to S.21.1.3 of the First Schedule in the Model Sewer Adoption Agreement (“MSAA”).

Easements for Surface Water Discharges

Yorkshire Water do not have legal rights to discharge flows from public sewers onto or into another person’s land. This also applies to surface water outfalls into watercourses and bodies of water (canals, ponds, lakes etc).

Yorkshire Water will require a completed Deed of Grant of Easement from the landowner/riparian owner (being an adjoining owner in the case of partial ownership of land forming part of a watercourse for instance) to secure and protect Yorkshire Water’s right to discharge surface water and any other rights and restrictions required, to ensure Yorkshire Water can operate and maintain its public sewerage network now and in the future.

Easements for New Sewers Laid in Third Party Land

If you intend to lay a new sewer through land owned by a third party, the third-party landowner must be a party to the MSAA and may be required to also enter into a formal Deed of Grant of Easement.

Third Party land can include an area of land:

- you do not own
- that may put the sewer at risk of damage from future development; or
- with access limitations

If a Deed of Grant of Easement is required, it will detail the restrictive limitations on future works near to or over the adoptable sewer (see the Fourth Schedule of MSAA for further details).

Yorkshire Water’s Approach

Yorkshire Water requires an easement on all adoptable assets located outside of the highway. The width of the easement will depend on the size and depth of the sewer.

Table 1 – Minimum Distances of Buildings from Public or Prospectively Adoptable Gravity Sewers

	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 2.5m 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

The sewer pipeline easement widths have been determined in line with Yorkshire Water’s current approach, which is dependant on sewer size and depth. This approach allows Yorkshire Water to continue to operate, maintain and access our assets safely and efficiently, protecting our asset base and customers now and in the future.

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