

CODE OF PRACTICE

northern ireland  
water



Delivering what matters

# Works on Private Land





# Glossary

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**ASSI** - Area of Special Scientific Interest

**CCNI** - Consumer Council Northern Ireland

**Dfi** - Department for Infrastructure

**DAERA** - Department of Agriculture, Environment and Rural Affairs

**DoF** - Department of Finance

**LPS** - Land & Property Services

**NIE** - Northern Ireland Electricity

**NIEA** - Northern Ireland Environment Agency

**NI Water** - Northern Ireland Water

**PSNI** - Police Service of Northern Ireland

**UREGNI** - Utility Regulator Northern Ireland



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# Introduction

## **This is our Code of Practice for work on private land.**

It explains how and when we will do the work, and what you, as the owner and/or occupier of the land, can expect from us.

Sometimes, we need to install pipes on private land e.g. if it's the most practical or cost-effective option. If this happens, we will talk to you first and try to avoid damage. After the work, and with your approval, we will restore the land to its original condition. If this isn't possible, we will compensate you for any loss or damage.

Alternatively, we can agree compensation for you to restore the land yourself. However, we can only pay for the direct repair costs, all of which will need to be confirmed for audit.

We will follow this Code of Practice as closely as possible. If we can't, we will tell you why in writing if requested. For example, this may happen in emergencies or when we urgently need to fix water or sewer issues, like during floods or droughts.

We will also follow any other relevant legislation. This guide doesn't affect any other rights or powers that you, or we, may have.

The Code is divided into three parts, covering what happens **before, during** and **after** the work.



# Introduction

## continued

NI Water works with several other organisations that influence our operations. These include:

### **Department of Agriculture, Environment and Rural Affairs (DAERA):**

Inside DAERA is the Northern Ireland Environment Agency (NIEA), which focuses on protecting the environment. They can set rules for how we work and manage waste. DAERA also has an interest in farming issues.

### **Department for Infrastructure (DfI):**

DfI Rivers, a part of DfI, works to protect rivers. Like DAERA, they can also set rules for how we work and handle waste.

### **Northern Ireland Authority for Utility Regulation (UREGNI):**

This independent non-ministerial department oversees NI Water. We have to comply with any conditions imposed by UREGNI.

### **Department of Finance (DoF), Land & Property Services (LPS):**

LPS, a part of DoF, helps assess land costs and compensation for using land. We use their services to figure out how much to pay for land use and repairs.

### **The Lands Tribunal:**

This is a special court that includes both legal and valuation experts. They help solve disagreements about land and building values, and how they are used or developed.

This Code of Practice is available to download from our website. Please contact us to discuss your requirements

 **NI Water**  
Westland House  
40 Old Westland Road,  
Belfast, BT14 6TE

 **Phone:** +44 (0)3457 440088



# Before the works occur

## **Surveying, trial holes and investigative work**

1. When we need to put in a new pipeline, we might have to check out different paths to find the best one. Unless it's an emergency, we'll let you know at least seven days ahead of time before we come onto your property.

If we have to use any experimental trial pits, bore holes or probes to understand the soil and rocks under your land, we'll talk to you first. We'll try to disturb your land as little as possible and will aim to avoid works during wet ground conditions. If we can't fill the hole right away, we'll make sure it's safe before we leave. After the investigatory work is complete, we'll restore your land to a level you're reasonably happy with.

For this work, we'll pay based on the rates advised by the Land & Property Services, covering any damage and inconvenience.

## **Consultation and notice of works**

2. Before we start work, we'll send you a written notice with a detailed map showing where the pipeline will go, the work area, and when we plan to start. It's a good idea to keep this notice and map with your property documents, so future owners know about the pipeline.

We check with all necessary government departments and service providers like DAERA, NIEA, and utilities before working on private land. We'll give you the details of a contact person at NI Water who you can talk to about the work or suggest changes to our plans.

Your NI Water contact will be the person you can speak to before and after the work is done. They, or any other NI Water staff or representatives, will have ID with them, and they'll be fine with waiting if you want to check their credentials.

Some criminals visit people's homes and pretend to be working for us. We call them 'bogus callers'.

These callers can be men or women. They may trick you by saying there is an urgent problem with your water.

All our staff and contractors working on our behalf carry identity cards with their photo and the NI Water logo on it.

If we are carrying out work, our staff may need to go into your property.



# Before the works occur

## continued

Always ask to see their identity card. If someone comes to your door claiming to work for us, please do the following:

- Check that your windows and front and back doors are locked.
- Stop and think, 'Am I expecting anyone?'
- Ask the caller to put their identity card through your letterbox, rather than opening the door.
- If you have one, attach your door chain before you open your door.

**If the identity card is genuine it will have the following information on it:**

- A picture of the person.
- A unique serial number.
- The date the card was issued.
- The person's name.
- The person's signature.
- Our logo.

You can check that the person is who they say they are by phoning Quick Check on 101.

Your call will be answered by a trained police call handler who will take the details from you and will then contact Northern Ireland Water to determine whether the caller is genuine. Our staff will not mind waiting while you check their details.

**If you are not sure, do not open your door.**

**3.** The applicable notice periods for work carried out by NI Water on private land are contained in the table below:

Event	Notice Period
Laying of a new pipe	At least 3 months before starting work
Requisition (Customer application)	21 days after we get your request
Pipe alteration or replacement	42 days before starting work
Surveying or Testing Notice	7 days before starting work
Minor alterations	7 days before starting work



# Before the works occur

## continued

**4.** We will do our best to talk to you and think about your opinions before we officially notify you about our work. If we haven't been able to talk to you yet, we will discuss our plans with you during the notification period. When we talk, we'll need some information from you, like:

- How to contact you or your agent.
- Who owns and uses the land, and if it's rented out, to whom.
- Your plans for the land, like building structures or any planning permissions you have.
- Any underground pipes, cables, or structures.

- Anything that might change when we can do our work.
- Locations of natural water sources, waste systems, or deep drainage systems.
- Any dangerous materials, pollution, or disease-affected areas in the work site.
- Special areas needing extra care, like protected natural sites, historical areas, public paths, preserved trees, or conservation zones.
- Your farming plans, like crops or livestock.
- Any other details that might impact our work or the compensation we pay you.

**5.** Before we install a pipe, we consider many things to plan the route, such as:

- The most direct path, whether it's through public or private land.
- The cost to lay and maintain the pipe.
- How much we might need to pay as compensation.
- How the work might disrupt traffic, businesses, and people.
- Engineering needs.
- Trying to use gravity to move the water.
- Avoiding environmentally important areas.





# Before the works occur

## continued

**6.** When planning where to put a pipe, we'll think about everything we've mentioned before. We'll also talk to you and any neighbours affected by the work. We'll consider your ideas about where the pipe should go, when to do the work, and how to fix the land afterwards. We'll look at engineering needs, how much the work will cost now and in the future, and any suggestions you or your representative make. If we can't use your ideas, we'll tell you why, and can supply this in writing if requested.

**7.** The notice period gives us time to talk about any changes you suggest and to address any formal concerns before we start. We hope to agree on everything by the end of this period. However, if you don't provide access to your land as requested, we apply to a Magistrate for permission to enter.

**8.** Once we start work, we'll stay as close as possible to the planned route. If we need to change it, we'll discuss it with you and provide an updated map.

**9.** If we can't start the work around the planned date, we'll let you know the new schedule. Once we know the start date, we can estimate how long the work and the land repair will take. We'll keep you updated on our progress and when we expect to finish. You can keep doing your regular farming activities until we actually start work, but please don't do anything on the land that could interfere with our plans. But If you're unsure about anything, call Waterline at 03457 440088.

### Timing of the works

**10.** We try to schedule our work at a time that limits damage to your land as much as possible, considering engineering and operational limits.

### Agents

**11.** You might want to hire a professional, like a valuer or surveyor, to advise you, protect your interests, and help with compensation claims. If you do, we'll cover the reasonable cost of their fee once the compensation is settled. For more details, you can talk to your agent or contact us directly. Usually, we don't pay for legal fees unless we need you to sign a formal legal document for the work.



# Before the works occur

## continued

### Record of condition of land

**12.** We'll record the condition of the work area, nearby buildings, access routes, and any temporary work sites before we start. This could include notes, photos, or a video with a spoken description. This record is to make sure we properly reinstate any affected land (unless you asked for alternative proposals) and that buildings are protected.

### Contacts

**13.** Before works start, we'll give you the contact details of the person overseeing the work. They'll usually be available during work hours and for 12 months after the work is done. If you need help outside of normal hours or can't reach the lands officer or project manager, you can call the Waterline emergency number at 03457 440088.

### Location of pipes and equipment

**14.** Our pipes are usually buried at least 900mm (about 3 feet) deep to protect them from frost and not disturb farming. Sometimes, due to things like rocky ground, we can't bury them this deep. If that's the case, we'll tell you the final position and depth of the pipes and provide maps.

We might put permanent markers at the edges of fields to show where the pipe and its access points are. Sometimes, we have to put these markers in other places, but we'll try to put them where they won't get in the way of your farming. These markers won't be harmful to your animals. If you have deep drainage systems on your land, please let us know before we start working.

**15.** Generally, our pipes and fittings are underground. But sometimes, we need to install things like manholes that will be at or above ground level. We'll place these in spots that least affect your farming activities. Manholes are needed where a sewer changes direction, its slope, or its depth, and they're typically placed every 100 meters (about 110 yards). For water mains, we might need to put air valves at high points and washout valves at low points.

Whenever we have to install something at or above ground level, we'll talk to you about it first. If we need to put a manhole in your garden, we'll discuss the best spot with you and, if possible, let you choose where it goes within your garden.



# During the works

## Supervision

**16.** We'll ensure that our workers on your property are well supervised and stay within the designated work area. If you've told our lands officer or project manager about any special concerns, they will inform the workers. Also, all our contractors must have full indemnity insurance coverage.

**17.** If we need to work near residential areas during bank holidays, weekends, or between 7.30pm and 7.30am, we'll let you know ahead of time. However, in emergencies, we might not be able to inform you in advance.

## Access for owners and occupiers

**18.** We understand how important it is for you to access your property. Wherever possible and safe, we'll arrange for you to cross the work area with livestock or vehicles. Our contractor is in charge of health and safety on the site, including fencing and signs, and must follow NI Water's safety rules. If our work blocks access to part of your property, we'll talk to you beforehand. We might set up temporary walkways, gates, or steps, and we'll discuss their placement with you.

**19.** We'll try to keep your usual access routes open. If we have to use a shared access path, we'll keep it as clean as possible from any dirt or dust from our work. We'll also ensure that emergency vehicles can still get through.

## Access for ourselves

**20.** Normally, we'll access our work area directly, but if we need to use a different route, we'll talk to you first (except in emergencies) and include this in our notice.



# During the works

## continued

**21.** We will not construct any permanent gates, steps or stiles at the boundary between your land and a highway or public path without your consent, or between your land and neighbouring land without the consent of both landowners. We will maintain public access rights. Any compensation payment will be assessed by LPS and will include an amount for loss of use, access and crop loss (if applicable).

### **Security of your property and of the working strip**

**22.** Before we start work we will talk to you about whether the working area needs to be fenced. If the working area is next to land on which livestock will remain, we will erect a suitable stock proof fence. In these circumstances, we will ensure that the stock proof fence is maintained during the course of the works (and reinstatement) and will erect straining posts at junctions of our fencing with existing fencing, and

ensure both fences are secured and strained to the posts. Where livestock stray via the working area through our proven acts or omissions, we will give consideration to claims for loss or damage.

For safety reasons you will not have access to the working area otherwise than by prior arrangement. However, we will ensure that, if necessary, you have access across the working area and that during the works, and reinstatement, the existing level of security of your property is not reduced. On removal of any temporary fencing, the post holes will be filled with suitable material and the ground reinstated.

### **Topsoil**

**23.** We will seek to preserve the structure of the soil. When topsoil is stripped from the land we will store it separately from other NI Water Code of practice for works on private land 13 excavated materials.

We will not compress it with machinery. When the works are finished adequate subsoil preparation will be undertaken prior to replacing topsoil.

The excavated material will be replaced, so far as possible, to the condition it was prior to the works, and in particular topsoil will be replaced to the same depth as it was originally and there will be no large stones excavated during the works left on the surface.

If, for any reason, we are unable to return the same topsoil that was removed from your land it will, unless otherwise agreed with you, be replaced by soil of a similar nature, structure and quality. NI Water will ensure compliance with all statutory obligations regarding the excavation of top soil.



# During the works

## continued

### Land drainage

**24.** If you have any information about existing land drains on your property, please share it with us as soon as possible. We'll try not to disturb these drains. We'll also discuss with you how to fix any land drainage systems affected by our work. Sometimes, we might need to do some preliminary work before starting the pipe laying. If your land has a complex drainage system, we might consult a land drainage expert to plan the repairs.

**25.** If we find a land drainage system during our work that you didn't know about, we'll let you know. If we disturb any drainage system, known or unknown, we'll do our best to fix it. We'll aim to lay our pipes under the drainage system if possible. We'll inform you when we plan to repair the drains and give you a chance to check the site.

**26.** We'll keep a record, including photos, of any disturbed land drains and the work we do to fix them. You can ask for a copy of this record. If we build new land drains where there weren't any before, we'll talk to you about it, let you inspect the site, and give you a record of the completed work. It might be a good idea to keep this record with your property documents.

### Watercourses

**27.** When our pipe goes under a watercourse, we'll follow the guidelines of the NIEA Fisheries Bodies and DfI Rivers, where applicable. If there are no specific guidelines, the top of the pipe will be at least 300mm (about 1 foot) below the watercourse's cleared bottom and will be covered with concrete.

**28.** If our work impacts any watercourses, we'll discuss our plans with you. We'll make sure the watercourse is as good for land drainage after our work as it was before.



# During the works

## continued

### Water supplies and other services

**29.** If we interrupt or accidentally damage any water supplies or other services in our working area, we will repair the damage, or provide an adequate alternative as soon as reasonably practicable. We will also take all reasonable steps to ensure that our works do not pollute any water supplies or watercourses. If there appears to be any possibility of interference with private water supplies, such as wells or springs, we will arrange for samples to be analysed to determine quality and bear the cost of these, and for levels in wells and flows from springs to be recorded and agreed before, and after the works, provided you have drawn this need to our attention in sufficient time.

Troughs, standpipes or field supplies located within the working area will be moved to a new, temporary or agreed, permanent location. There may be

circumstances where water supplies that were not previously metered will have to be replaced by a metered mains water supply. In such cases, the landowner will be responsible for future charges. If this affects the value of the land it will be taken into account by LPS in the NI Water Code of practice for works on private land 14 assessment of compensation. When work is being carried out it is advisable that landowners monitor their water meter usage.

### Areas affected by disease

**30.** Prior to commencement of the work, we will contact DAERA and will take all appropriate measures to prevent the spread of animal disease or plant disease and will comply with all applicable DAERA and NIEA regulations and guidelines. In addition, if you advise us that the area in which we have to work is infected by a disease notifiable under the Diseases of Animals (Northern Ireland) Order 1981 (e.g. foot

and mouth) we will follow the bio security requirements of DAERA. If we have to make an emergency entry, we will take all necessary precautions. If DAERA has imposed requirements to avoid spreading soil-borne pests and diseases, we will, of course, be subject to, and comply with, any such operational restrictions.

### Fishing and sporting rights

**31.** 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 Dogs (Northern Ireland) Order 1983).

**32.** If there are fishing or sporting rights adjacent to the working area we will use reasonable endeavours to see that our works minimise any interference with the enjoyment of them.





# During the works continued

## Facilities for workmen

**33.** If we need to bring huts or caravans onto your land for our workers, they won't be used for overnight stays unless there's a security issue and you've given permission. We'll also provide toilets for our workers to prevent any mess on your land.

## Private agreements

**34.** If you make any deals directly with our contractors, it's important to know that we won't be responsible for any results of these agreements and won't get involved in any arrangements you make with them.

## Explosives

**35.** If we need to use or store explosives, we'll inform you in advance and tell you when to expect explosions. We won't use explosives on weekends, bank holidays, or between 7.30pm and 7.30am unless it's absolutely necessary and won't significantly disturb you.

## Cathodic protection

**36.** This is a method used to prolong the life of a pipeline by slowing down the natural rusting process in metal pipes. If we use cathodic protection on any of our equipment, we'll also take measures to protect nearby buildings and structures.

## Temporary support

**37.** If our work might affect the stability of your buildings, structures, or equipment, we'll talk to you about it. We will provide the necessary temporary support to ensure safety.

## Fossils and articles discovered

**38.** If we find any coins, fossils, or other historic items during our work, we'll let you know and inform the relevant archaeological authorities. We won't keep these finds or claim them. We have a legal duty to protect and conserve archaeological objects, so we might involve an archaeologist to inspect our work. We'll discuss this with you beforehand.



# After the works

## Reinstatement

**39.** We'll aim to cause as little damage as possible. Some temporary damage, like removing topsoil, might be necessary for good work practice and for fixing the land afterwards. Once we're done, we'll restore the area to how it was before we started.

**40.** We'll take away all our tools, equipment, and any harmful substances we brought to the site. We'll also remove extra dug-up materials, unless you want us to leave them and it's legal. We'll leave the site clean. Before we finish, we'll inspect the area with you to make sure you're happy with how we've fixed it. Or, if you prefer, you can do the fixing yourself, and we'll pay you for it.

**41.** If we damage or remove any fences, banks, or walls, we'll fix or replace them. If we harm any hedges or trees, we'll replant them with the right species and put up a fence to protect them while they grow. We'll pay compensation if necessary. We'll try to avoid cutting down mature trees, but if we must, we'll talk to you first and follow any rules if the trees are protected or in a conservation area. If we do cut down trees, they're still yours, and we can dispose of them as you wish.

If we've worked in a garden, we'll make sure the fixed garden matches the rest of your garden. We might hire a professional gardener for this. If it's not practical, or if you'd rather do the work yourself, we'll agree on compensation for you.

**42.** If a land drainage system isn't adequately reinstated, we might get advice from a land drainage specialist, or we could pay you compensation. Our contractor will be responsible for maintaining the work for 12 months after we finish, and a Lands Officer will be available during this time for any concerns you have.

**43.** In the event that a land drainage system is not adequately reinstated we may seek the advice of an independent land drainage specialist. Alternatively, compensation may be paid.

The contractor's maintenance period is normally 12 months from the completion of any works on private land and a Lands Officer will be available during this time, if you have any concerns you wish to raise.





# After the works continued

## Information

**44.** We'll let you know in writing where the pipe is laid and how deep it is, especially if it's less than 900mm (about 3 feet) deep. We'll also tell you the size of the area around the pipe that needs to be protected. This area will be as small as possible, just enough for us to access and work on the pipe for future maintenance or changes. To prevent damage to the pipe and to keep our access clear, you shouldn't plant trees or build structures in this area without our permission.

## Compensation

**45.** If our pipes permanently lower the value of your land, or if you face temporary losses, disturbances, or damage to your property that we can't fix, you might be eligible for reasonable compensation. We'll only compensate for costs that are directly and unavoidably caused by our work. If you're significantly disturbed by our work, keep a record of what's happening and any extra costs you face. Inform your NI Water Lands Officer or project manager about these disturbances and potential costs.

It's good to keep a diary of events related to the disturbance. If you've hired an agent, they can help prepare and negotiate your compensation claim, which we'll keep confidential. If you or your agent request in writing, we can pay 90% of our estimate of your loss as an advance within three months of receiving your detailed claim and proof of your entitlement. Your agent can give you advice on this.



# After the works continued

**46.** If we can't agree on a fair compensation amount, you can take the issue to the Lands Tribunal. They will decide whether you should be paid and how much.

The Lands Tribunal contact details are:

 **The Registrar  
The Lands Tribunal**  
Royal Courts of Justice  
2nd Floor  
Chichester Street  
BELFAST  
BT1 3JJ

 **Phone:** 028 9032 7703

 **Email:** [lands.tribunal@dfpni.gov.uk](mailto:lands.tribunal@dfpni.gov.uk)

**47.** If you plan to develop your land later and need us to move or remove the pipe, you can ask us to do so at your cost. If your request is reasonable, we are obligated to help.

## Complaints

What to do if you are not happy with our services.

**48.** We aim to provide excellent service at all times. If you're unhappy with our service, please let us know. Your feedback helps us fix issues for you and improve for other customers.

You can contact us using the information below.

 **Northern Ireland Water**  
PO Box 1026  
Belfast  
BT1 9DJ

 **Phone Waterline:** 03457 440088

 **Email:** [waterline@niwater.com](mailto:waterline@niwater.com)

 **Website:** [www.niwater.com](http://www.niwater.com)


You can ask for a free copy of our complaints procedure or you can download it from our website.



# After the works continued

## Independent help and advice from the Consumer Council

If you're still not satisfied with how we handled your complaint or if you want free, independent advice, you can reach out to the Consumer Council. They have the authority to investigate your complaint about our service on your behalf. The Consumer Council can also offer support if you need help in making a complaint. This is a good option for getting an impartial perspective and additional assistance.

 **Consumer Council**  
Floor 3, Seatem House  
28-32 Alfred Street  
Belfast  
BT2 8EN

 **Phone:** 0800 121 6022

**Text Relay Service:** 028 9025 1600

 **Email:** [contact@consumercouncil.org.uk](mailto:contact@consumercouncil.org.uk)

 **Website:** [www.consumercouncil.org.uk](http://www.consumercouncil.org.uk)

## Other useful contacts

The Utility Regulator is the independent non-ministerial government department responsible for regulating Northern Ireland Water.

 **The Utility Regulator**  
Queens House  
14 Queen Street  
Belfast  
BT1 6ED

 **Phone:** 028 9031 1575

 **Email:** [info@uregni.gov.uk](mailto:info@uregni.gov.uk)

 **Website:** [www.uregni.gov.uk](http://www.uregni.gov.uk)

 **Northern Ireland Water**  
PO Box 1026  
Belfast BT1 9DJ

 **Waterline**  
03457 440088

 **Text Relay Service**  
03457 440088

 **Self-Service**  
<https://digitalservices.niwater.com>

 **Email**  
[waterline@niwater.com](mailto:waterline@niwater.com)

 **Web Chat**  
[www.niwater.com/contact-us/](http://www.niwater.com/contact-us/)

 **Facebook**  
[www.facebook.com/niwater/](http://www.facebook.com/niwater/)

 **X**  
[www.twitter.com/niwnews](http://www.twitter.com/niwnews)

 **Website**  
[www.niwater.com](http://www.niwater.com)