Deed(s) of Grant of Wayleaves and Easements Guidance Document



What is a Deed of Grant of Wayleaves and Easements?

A Deed of Grant of Wayleaves and Easements provides for a legal right for Uisce Éireann to access private land to install, maintain, renew, and/or repair water and wastewater infrastructure and for ancillary purposes arising from its statutory functions under the Water Services Acts. Easements are typically put in place when new connections are being made to existing networks or when Uisce Éireann is extending or maintaining is networks.

The Deed(s) of Grant of Wayleaves and Easements provides Uisce Éireann with certain rights by agreement of the property owner, such as:

The right to enter the property to carry out statutory functions.

The right to install infrastructure such as pipes and manholes.

The right to access the property for future maintenance, repair, or upgrade of the infrastructure.

The Deed of Grant of Wayleaves and Easements is usually formalised through a legal agreement between Uisce Éireann and the property owner. The Deed provides for consent for infrastructure to be placed in the lands and for associated rights of access to the infrastructure once laid/installed. The Deed also provides protection for property owners insofar as it contains the relevant conditions upon which Uisce Éireann is permitted to enter onto lands and Uisce Éireann's obligations to reinstate the lands following any works.

The Deed of Grant of Wayleaves and Easements is important for ensuring that essential water and wastewater services can be provided to all customers, even when the infrastructure must cross private land. These agreements are a common tool used by utility companies to manage their networks effectively, while respecting the rights of property owners.

When is the Deed(s) of Grant of Wayleaves and Easements typically put in place?

A Deed(s) of Grant of Wayleaves and Easements is typically put in place whenever Uisce Éireann requires access to private land to install, maintain, or repair infrastructure that is necessary to provide water and wastewater services. Examples include:

- **New Infrastructure Installation:** When laying new water or wastewater pipes across private property not already covered by an existing easement.
- **Upgrading Existing Infrastructure**: When upgrading or replacing existing infrastructure and the existing easement does not cover the scope of the new work.

- Maintenance and Repairs: For ongoing access to infrastructure for routine maintenance, inspections and emergency repairs, where such access rights have not previously been formalised.
- **Property Development**: When a property is being developed, a Deed of Easement will be required to cover new water or wastewater pipes being transferred to Uisce Éireann.
- Network Expansion: As part of expanding the public networks to new areas, which may involve crossing private land to connect new customers or communities.

Putting the Deed(s) of Grant of Wayleaves and Easements in place (Guidance map)





Engage your Legal Team

Once you have entered into your Connection Agreement, you should engage with your solicitor / legal representative to initiate the process of putting the necessary easement(s) in place. It is usually helpful to have your legal team involved from the very start.



Contact Uisce Éireann Team

You and your legal team should contact the CDS Legal team via email (cdslegal@water.ie) with details of your development and its CDS reference number. This should be done as quickly as possible after your Pre-Commencement Site Meeting with your Uisce Éireann Field Engineer at which the required form of easement(s) will be identified.



Submission and Review of the Draft Documents

The CDS Legal team will be able to address any queries which you may have regarding the appropriate forms of easement(s) for your development. Depending on the type of development and what is outlined in your Connection Agreement, there may be a requirement for an additional Arterial Deed of Easement. An Arterial Deed of Easement is required if your development is connecting to the Uisce Éireann network(s) through infrastructure which has not yet been taken in charge or otherwise vested in Uisce Éireann.



Initial Documents Submission

Based on the guidance received from UÉ in step 3, please send **drafts of the completed Deed(s) of Grant of Wayleaves and Easements, associated maps and copies of all relevant Tailte Éireann Folios and Filed Plans to CDS Legal via email (cdslegal@water.ie)**. Templates of the Standard Easement and Arterial Easement can be found at the **Developer Hub** section of the Uisce Éireann website. For further guidance on Tailte Éireann mapping requirements, visit **www.tailte.ie**



Submission Review

CDS Legal will review the draft documents submitted to it and revert with any comments or queries.



Final Documents Submission

Once your draft documents have been approved, you should arrange for execution of the Deed(s) of Grant of Wayleaves and Easements (in duplicate). Once executed, the hard-copy Deed(s), map(s) and up to date Folio(s)/Filed Plan(s) should be sent to CDS Legal by registered post or courier to **Uisce Éireann**, **CDS Legal Department**, **Colvill House**, **24-26 Colvill House**, **Talbot Street**, **Dublin 1**.



Final Review and Authorisation

CDS Legal will carry out a final review of the hard-copy documents received and verify the execution formalities. If the documents are in order, CDS Legal will issue an email confirming that the legal precondition(s) to connection have been satisfied. CDS Legal will then arrange for counter-execution of the Deed(s) and return of a counterpart to you.



Finalise the Deed of Easement

You must submit the executed Deed(s) of Grant of Wayleaves and Easements to Tailte Éireann for registration. Once completed, you should advise the CDS Legal team (cdslegal@water.ie) that the Deed(s) has been lodged and provide the applicable Tailte Éireann Dealing Number(s).

Mapping Guidelines

Any map provided with a Deed of Easement should include:

- Site boundary marked with a heavy red border;
- A clearly marked Strip (as defined in the Deed of Easement) in line with Uisce Éireann's Codes of Practice;
- The Strip must be shaded yellow;
- ITM coordinates should be clearly marked in each corner of the map.

Further Information

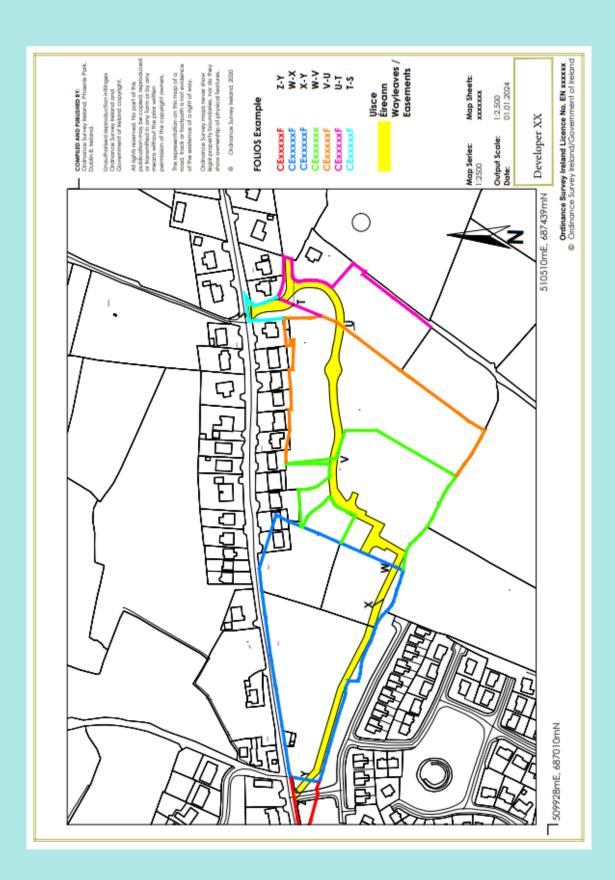


For further information on wayleaves and other Developer processes, or to access Uisce Éireann's CoP and Standard Details, technical guidance documents, please visit Developers' Hub on our website www.water.ie.

Any Questions? Please, reach out to our dedicated Developer Liaison team at **developerservices@water.ie**.

Appendix 1

Mapping Guidance - Multiple Folios



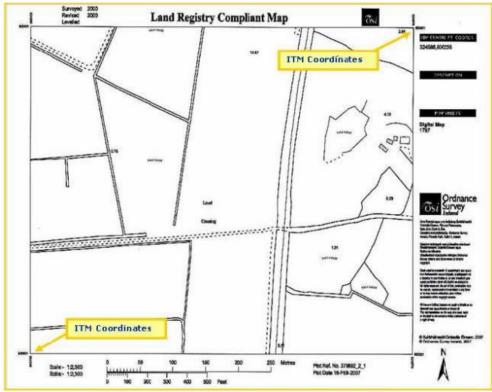
Appendix 2

Mapping Guidance - Ordnance Survey Ireland ITM 'Land Registry Compliant Map'

Mapping Guidelines - Appendix 8(b) An 1 Udards Clarkchdin. Ordnance Survey Ireland ITM 'Land Registry Compliant Map'

Ordnance Survey Ireland (OSi) can supply an ITM hardcopy product that will meet the Registry's mapping requirements.

Guidelines and examples for marking new properties can be found in Appendices 3, 4, 6 and 7(a)



Example of OSi 1/2500 scale Land Registry Compliant Map

Note: -

Hardcopy ITM maps that have been enlarged from the original OSi published scale for the area cannot be expected to give a higher degree of accuracy than that of the original scale.

Details on the scale and accuracy of OSi maps are available on the Ordnance Survey Ireland website www.osi.ie