

# GUIDANCE NOTES

## Wayleave and Utility Compensation

### What is a Wayleave:

A Wayleave is an annually renewed right of use for apparatus over or under private land for which payment is made. For example, electricity supply companies may put poles on your land or cabling underground and in return they will give you rent.

An easement is a permanent right a person, company or statutory body has over land they do not own themselves. For example, a water company may put a pipeline through your land and in return they may pay a single lump payment for this right.



In some circumstances the easement may already exist when you purchase the land, in which case often no payment is made.

If you believe you are entitled to receive an annual wayleave payment, we are able to check with the company to see if a wayleave agreement exists. If it does, you may be able to claim up to 6 years' worth of backdated annual payments in one lump sum, and then continue to receive an annual payment.

If a new service is being installed across your land, whether it be a new or replacement water main or electricity poles, in addition to the wayleave or easement payment, Landowners or occupiers will receive compensation for damage and disturbance to the surrounding land as a result of installing the equipment. For example, when installing a new water main, if the surrounding land is severely poached or requires re-seeding, this cost can be reclaimed.

Also the cost of employing a land agent is often re-claimable.

For further information, please contact Davis Meade Property Consultants on 01691 659658 (Oswestry Office) or 01492 510360 (Colwyn Bay Office).

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