

## **Anglian Water's policy: compensation due to works in the public highway**

At Anglian Water we work hard to provide the best service we can to our customers. From time to time this may involve us carrying out works in the road to repair, renew or maintain our infrastructure. During these times we work closely with the Highway Authority to minimise the impact on the local area and businesses close by.

### **The right to compensation**

Schedule 12 of the Water Industry Act 1991 provides for businesses to receive compensation for loss or damage they incur due to works we have carried out in the public highway.

In order to make a valid claim, the business's loss must be directly caused by our works. We assess every claim we receive on an individual basis. The factors we consider when assessing claims include:

1. The nature and scope of our works;
2. The impact of our works (e.g. on getting to and from the business, for example due to road and car park closures);
3. How close the business is to our works; and
4. How long the works are going on for.

Please note that this is not an exhaustive list – there may be other factors we need to take into account.

### **Making a claim**

If you would like to submit a claim for consideration, please complete our Schedule 12 Claim Form. Once you've completed it, please email it, together with the information requested, to [awsstates@savills.com](mailto:awsstates@savills.com).

Once we receive your claim form and documents we will do our best to meet the following timescales:

1. To investigate your claim and let you know our decision on liability within four weeks.
2. If we accept liability, we will carry out a detailed loss assessment and let you know the outcome within a further two weeks. If we need to ask for more details from you to complete this assessment it may take a little longer.
3. If we need to pay you compensation, we will do so within four weeks of the amount being agreed between the parties.

Please note that the time it takes to complete the process may vary if we need to ask you for additional information.

### **Disputes**

A dispute may arise if we are not able to agree with you whether our works caused the loss you are claiming for, or how much compensation is due. In these circumstances either party can refer the dispute to arbitration (where independent

assessors will help to resolve the situation), as set out in Schedule 12 of the Water Industry Act 1991.

The parties should first try to agree an arbitrator between themselves. If we reach the point of needing arbitration, we will invite you to propose three arbitrators and provide details of their experience, terms of business and basis of payment. You must also disclose any existing or potential conflicts of interest with any arbitrator you propose.

We will respond within four weeks. We'll either agree to one of your proposed arbitrators or alternatively we may propose a further arbitrator (or arbitrators) for consideration.

If we're not able to agree on an arbitrator, either you or we may ask the water industry regulator Ofwat to appoint one.