

Case: 201104902, Scottish Water
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Ms C complained that Scottish Water pipes ran across her land but that Scottish Water were not paying her for use of it. She said that an electricity company paid her in respect of cables and pylons on her land. She also complained that Scottish Water staff accessed her land without notice, which had serious implications in respect of the dogs and horses on the land.

We confirmed to Ms C that Scottish Water had correctly explained the legal situation regarding payment for use of land in these circumstances, and they were not required to pay her. We explained that regulatory and legislative requirements for the water industry are not always the same as those for the gas and electricity industries.

We also explained to Ms C that Scottish Water had the right to access her land without notice in emergency situations but that, in other cases, they had to give 24 hours' notice. However, there was no evidence that Ms C had reported any incidents of access without notice before she submitted her complaint. Scottish Water also told us that she had confirmed verbally to them that she had not made any such reports. This meant that it was not possible for either Scottish Water or this office to investigate what had happened (for example, whether anyone who had accessed her land without permission had, in fact, been a Scottish Water employee). However, we were satisfied that Scottish Water had given Ms C appropriate advice about contacting their call centre as soon as any such incident happened and that they had reminded relevant staff of the requirement to give notice.