Teddington Direct River Abstraction

Landowners' Guide:
Subsoil Acquisition

What is subsoil?

Subsoil is that part of the land which is located below the surface of the land. English property law recognises that, unless specified otherwise, freehold ownership of land includes the ground below the surface of the land to an unlimited depth. In some cases, leaseholders may share these rights with freeholders; and in some cases (usually where land is unregistered) freehold interests in subsoil may include the subsoil beneath public roads or streets at the frontage of a property.

Why does Thames Water want to acquire subsoil?

Thames Water is normally the owner of land in which its operational infrastructure is located. The proposals for the Teddington Direct River Abstraction (TDRA) project include the construction of a new tunnel and pipeline, and Thames Water would need to permanently acquire the subsoil corridor where this infrastructure would be located.

Does Thames Water have a legal right to compulsorily acquire subsoil?

The Development Consent Order (DCO) that we are applying for under the Planning Act 2008 will include provisions to enable Thames Water to compulsorily acquire the land and rights over land, which would be required for the TDRA project. This will include provisions for the compulsory acquisition of subsoil, within defined vertical and horizontal limits, for the construction of the tunnel and pipeline. If you have a legal interest in the area of subsoil that we need for the project, you will be entitled to receive compensation for the loss of that portion of subsoil from your property.

How much subsoil would be acquired by Thames Water?

The proposed main tunnel between Mogden Sewage Treatment Works and the River Thames near Teddington will have an approximate internal diameter of 3.5 metres.

We will need to acquire and retain permanent ownership of subsoil for the tunnel and some of the subsoil surrounding it as a protection zone for the tunnel. The protection zone is an area around the tunnel within which future development of the subsoil would require prior approval. This allows proposed works to be reviewed to ensure they do not compromise the integrity of the tunnel.

We will inform property owners if their subsoil needs to be acquired for the project, and will confirm the specific depth at which the new tunnel is located beneath their property, once the structure has been constructed.

What does Thames Water acquiring the subsoil mean for my property?

The acquisition of subsoil below your property:

- Does not affect your home, land, or buildings on the surface.
- Does not give Thames Water access to your property.
- Does not change how you use, sell, or mortgage your property.
- Does not involve any construction activity at the surface.

All tunnel works would take place deep underground.

How is the tunnel to be constructed and how deep will it be?

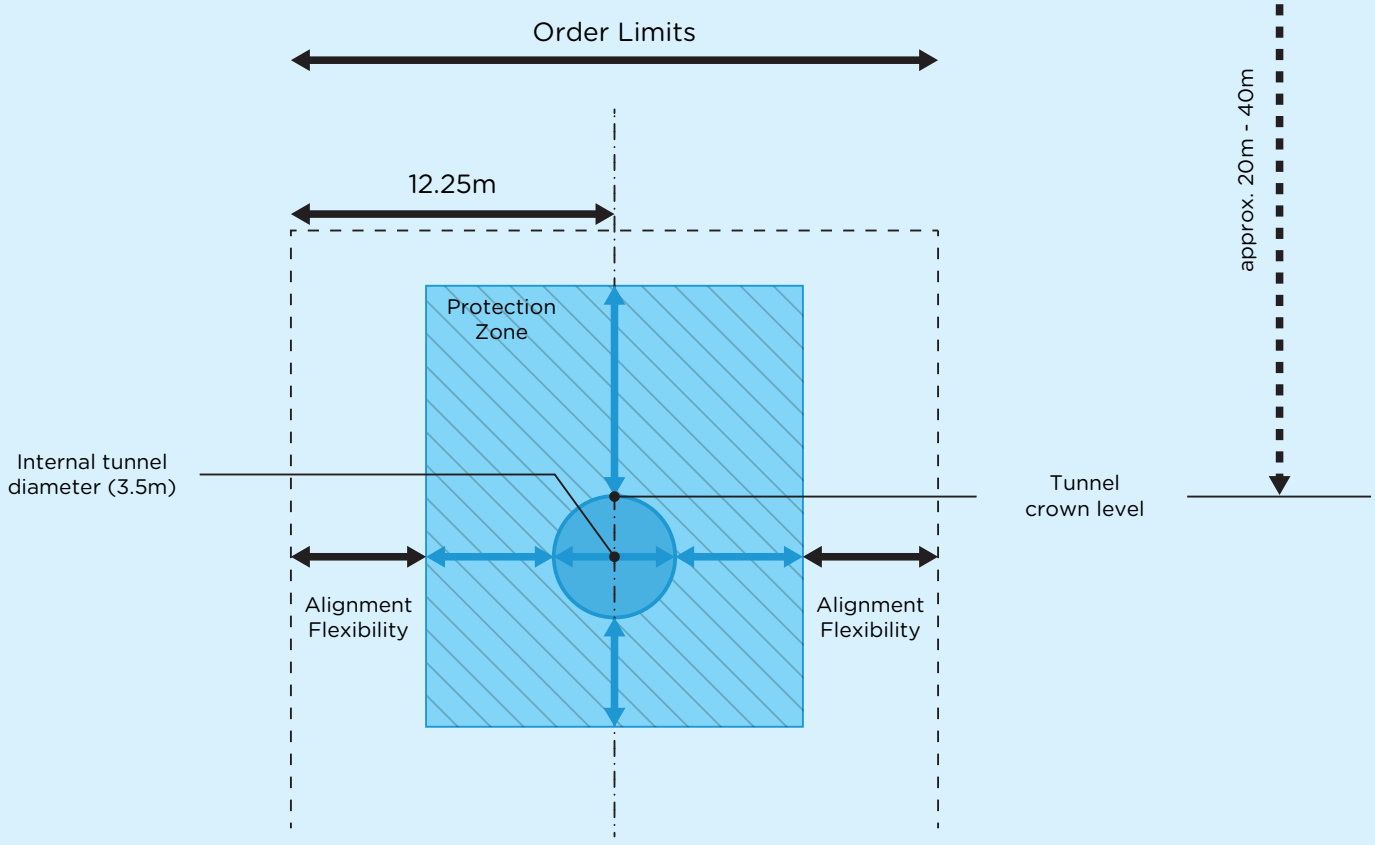
We are proposing to create a new tunnel from our new water recycling facility, at Mogden Sewage Treatment Works, to a reception shaft close to the River Thames upstream of Teddington Weir.

The tunnel would be deep underground – between 20 metres and 40 metres beneath the surface in most places – with an approximate 3.5 metre internal diameter, and constructed using a tunnel boring machine.

Launched from Mogden Sewage Treatment Works, the tunnel boring machine would have a rotating cutting-head and be propelled forwards by hydraulic jacks. Pre-cast concrete segments would be installed by the tunnel boring machine as it progresses, to line and brace the new tunnel walls, with excavated material being transferred back down the tunnel for removal at Mogden Sewage Treatment Works.

Tunnel boring machines are very good at limiting disturbance to the surrounding ground, making them particularly suitable for tunnelling in urban environments, avoiding ground movements and impacts on land and property on the surface. Tunnel boring machines have been used successfully across Greater London, such as on the Elizabeth Line, the Thames Tideway project and the Northern Line Extension.





Indicative Tunnel Dimensions
For illustration purposes only – Not to scale

How do you acquire subsoil?

If the Development Consent Order is granted, works will not start immediately and certainly not before landowners have received a notification of Thames Water's intention to enter the land (including subsoil) for the purposes of constructing the project.

If the project is granted development consent, we'll write to people with a legal interest in the subsoil that we need to acquire with further information about our offer to buy it.

Once the tunnel has been built and the exact area of subsoil required is confirmed, the landowners involved will be informed that part of their ownership of the subsoil will be acquired through the General Vesting Declaration (GVD) process.

What is the General Vesting Declaration process?

A General Vesting Declaration is a legal document that Thames Water can use (if it is granted compulsory acquisition powers through the Development Consent Order) to acquire land (including subsoil) and rights over land compulsorily.

The General Vesting Declaration process involves Thames Water serving formal notices on all owners and occupiers of the land that is to be the subject of the General Vesting Declaration. After all these General Vesting Declaration notices have been served, the vesting period begins and the vesting date is set. The vesting period is the period before ownership transfers to Thames Water and is likely to be at least three months from the date on which the service of all the General Vesting Declaration notices is completed. The vesting date is the date on which ownership of the land (subsoil) included in the General Vesting Declaration transfers automatically to Thames Water.

The remaining subsoil and surface land (above and around the portion of subsoil needed by Thames Water) would not be included in the General Vesting Declaration and would therefore remain with its original owner(s).

What is the proposed timetable for acquisition of subsoil?

The tunnelling programme for when the tunnel boring machine would pass beneath the relevant properties is being developed. This information will be used to plan the dates for notifying landowners about when Thames Water needs to exercise the temporary possession powers in the Development Consent Order to gain access to the subsoil deep beneath property.

Access to the subsoil would be gained through the tunnel itself and would not require access to your property, nor would it affect your home, land or buildings at the surface.

The subsoil would be formally acquired through the General Vesting Declaration process following completion of the construction works.

How would landowners whose subsoil is being purchased be compensated?

We are planning to follow the practice of adopting a fixed price compensation scheme as has been used on other major infrastructure projects where subsoil for tunnelling and other works was acquired. Acceptance of the compensation offered will not be mandatory and relevant landowners are free to employ professional advisers to pursue a claim by negotiation if they choose to do so.

The Royal Institution of Chartered Surveyors (RICS) operates a helpline on 02476 868 555 where you can obtain advice.

As in any compulsory purchase of land, the amount of compensation payable relates to the market value of the land (in this case, the subsoil) being acquired. The presumption used on recent deep tunnel projects is that any subsoil acquired is of little value in the market because of its depth beneath the surface and the rather limited use to which it can generally be put.

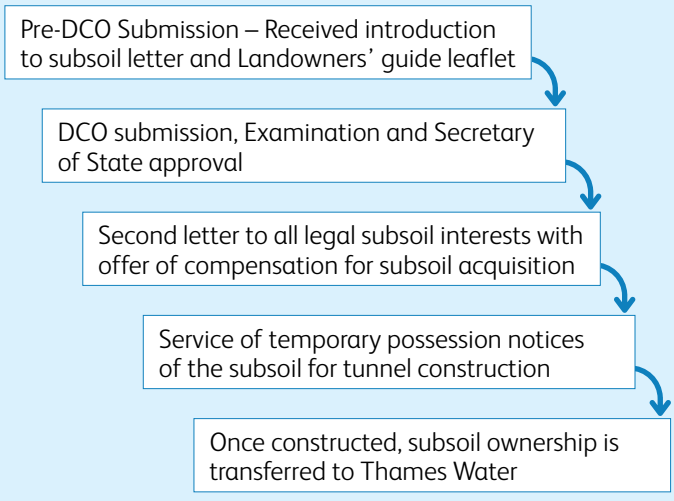
Accordingly, the compensation being offered by Thames Water in respect of the acquisition of subsoil rights required for the project (and which sum has been paid by other major infrastructure projects) is:

- £50 which represents the market value of the subsoil, whether claimants are the freeholder or a leaseholder.
- £250 as a contribution towards professional fees in connection with any advice claimants may wish to seek in relation to the acquisition, or to retain if you are content with the subsoil proposal and accept the £50 compensation.

What happens next?

If the project gets permission in the next few years, we'll write to people with a legal interest in the subsoil again with our offer to buy it. If approved, tunnelling work is expected to begin in 2031.

Proposed communication timeline





Additional Information

Additional sources of information, including government guidance, can be found below:

- **Compulsory Purchase and Compensation Guidance:** https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-1-procedure
- **Royal Institution of Chartered Surveyors (RICS) Helpline Scheme:** +44 (0) 2476 868 555 can provide you with access to impartial advice from experts about specific property matters. They offer a downloadable Compulsory Purchase Consumer Guide, as well as access to a list of surveying firms offering a free 30-minute initial consultation.
- **PINS Portal Advice Notes:** https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes

We know that the idea of having a tunnel underneath your home could be worrying. If you'd like to speak to us about it, or if you have any other questions, please contact us via the below ideally quoting the reference number in the letter that accompanies this leaflet:

Email: property.TDRA@thameswater.co.uk

Phone: 0800 316 6899 (24 hour answerphone)

Further information about the Teddington Direct River Abstraction Project can be found on our website **thames-sro.co.uk/tdra**

Alongside this leaflet, we've included a project update which explains some of the changes we've made to the project including to the proposed recycled water conveyance tunnel. You can find this on our website here: **thames-sro.co.uk/news**

To sign up for project news updates by email, visit **thames-sro.co.uk/subscribe** or scan the QR code below