

Transco Plc v United Utilities Water Plc [2005]

Evidence

Transco, a gas company, sued United Utilities Water (U UW) for the financial damage caused by the negligence and trespass by the latter. U UW, as a water network operator in the UK, was requested to close the water supplementation in a particular territory due to street work. One of the employees of U UW, who was required to shut off the water valve, accidentally cut off the one with gas. Consequently, it brought the plaintiff significant financial damage, as they needed to restore the gas supply and investigate the matter of the problem.

Problematics

The problem was whether the relationship between the parties was close enough for U UW to be accountable.

Resolution

The court concluded on the reasonable proximity in the relationship between U UW and Transco, as they both provided the services of public utilities on the same street. Therefore, it was logical that the shut down of one utility service on a location would result in problems and even financial loss of another provider on that street. The court found negligence in U UW's treatment of Transco's property, which brought both reputational and economic damage to the latter. Although U UW's employee did not damage the Transco's pipe itself, it was established that the case is related to Torts Interference with Goods Act 1977. As the employee's mistake did not factor in the delay in the mentioned street work, the court reasoned the decision as concerning the New Roads and Street Works Act 1991, s 82(1)(b), and admitted that U UW was liable in the case.

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