

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1668

Date of Decision: 19 February 2020

Complaint

The customer feels that the water pressure at his property is too low. The company has investigated this issue and confirmed that the water pressure it provides to the customer has always been above the required regulatory standard. The company has advised that the low pressure being experienced by the customer could be due to his own private internal water pipes (for which it is not responsible). The customer remains displeased with his water pressure and is now claiming for the company to improve the water pressure in his property as soon as possible.

Defence

The company submits that it has investigated this issue and confirmed that it has always provided the customer with water pressure above the required regulatory standard. The company believes that the low water pressure at the customer's property could be due to his private water pipes and it has explained that it is not responsible for this. As such, the company does not accept that it is liable to provide the customer with the redress claimed.

Findings

I am not satisfied that the company failed to provide its services to the standard to be reasonably expected by the average person. I find that the evidence available shows that the company has always provided the customer with water pressure above the required regulatory standard. Furthermore, I am satisfied that the company has taken fair and reasonable action to investigate the customer's concerns. Therefore, the customer's claim for redress is unable to succeed.

Outcome

The company does not need to take any further action.

The customer must reply by 18 March 2020 to accept or reject this decision.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

ADJUDICATOR'S DECISION

Adjudication Reference: WAT/ /1668

Date of Decision: 19 February 2020

Party Details

Customer: []

Company: [].

Case Outline

The customer's complaint is that:

- He feels that the water pressure at his property is too low.
- The company investigated this matter and confirmed that the water pressure it provides to the customer has always been above the required regulatory standard.
- The company advised the customer that it may be beneficial for him to have a plumber check his private internal pipework to see if this issue can be resolved.
- The customer referred the issue to CCWater and it concluded that the company is providing water pressure above the required regulatory standard and had taken appropriate steps to investigate this issue for the customer.
- The customer remains displeased that the company has no short-term plans to improve the water pressure in his property.
- Therefore, the customer's claim is for the company to improve the water pressure in his property as soon as possible.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

The company's response is that:

- It does not accept any liability to the customer.
- It explains that water companies are required to provide a regulatory minimum water pressure of 0.7 bars.
- The company states that it has investigated this issue for the customer and confirmed that is providing the customer with an average of 2.42 bars of water pressure at his boundary stop tap (with a low of 1.16); this exceeds the required standard for pressure (0.7 bars).
- The company explains that on 3 February 2019 there was a burst main incident near the customer's property which would have caused a temporary drop in pressure.
- The company submits that it has shown with evidence from the pressure logger that it provides 2.42 bars of water pressure to the customer and it has not received complaints from any of his neighbours in the area (with the exception of when a burst pipe caused a drop in pressure). Accordingly, it explains that the low pressure issue could be due to the customer's private water pipes (for which the company is not responsible).
- The company does not accept that it is liable to provide the customer with the redress claimed.

How is a WATRS decision reached?

In reaching my decision, I have considered two key issues. These are:

1. Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
2. Whether or not the customer has suffered any financial loss or other disadvantage as a result of a failing by the company.

In order for the customer's claim against the company to succeed, the evidence available to the adjudicator must show on a balance of probabilities that the company has failed to provide its services to the standard one would reasonably expect and that as a result of this failure the customer has suffered some loss or detriment. If no such failure or loss is shown, the company will not be liable.

I have carefully considered all of the evidence provided. If I have not referred to a particular document or matter specifically, this does not mean that I have not considered it in reaching my decision.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

How was this decision reached?

1. The customer feels that the water pressure at his property is too low. The company has investigated this issue and confirmed that the water pressure it provides to the customer has always been above the required regulatory standard. The customer referred the issue to CCWater (Consumer Council for Water) but it concluded that the company has been providing the customer with water pressure above the required regulatory standard. The customer remains dissatisfied with his water pressure and is now claiming for the company to improve his water pressure as soon as possible.
2. I remind the parties that adjudication is an evidence-based process and in order for any remedy to be awarded, the evidence must show that the company has not provided its services to the standard that would reasonably be expected of it.
3. I note that, in accordance with the *Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008*, water companies are required to maintain a minimum water pressure in their communication pipe of seven metres static head (0.7 bars of pressure).
4. Following a review of all the evidence available to me at the time of adjudication, I do not find that the company has provided the customer's area with a water pressure falling below the required minimum of 0.7 bars. Accordingly, I am unable to conclude that the company has failed to provide its services to the standard to be reasonably expected by the average person with respect to its provision of water pressure to the customer's area.
5. I understand the customer's main concern is that the water pressure within his property is low. However, it may be helpful if I explain that the company (in accordance with the *Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008*) is only obliged to maintain a minimum water pressure of seven metres static head (0.7 bars of pressure) in its communication pipe (the company's main water pipe that feeds into its customers' private pipes). The company is not under any obligation to maintain all of its customers' private internal pipework to ensure their properties are receiving their desired water pressure level.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

6. In the interest of completeness, turning to a review of the company's actions in response to the customer's concerns. Based on the evidence provided, I am satisfied that the company acknowledged the customer's concerns relating to low water pressure in his property and appropriately investigated the issue. The company explained to the customer that it is correctly meeting its obligations regarding water pressure and has advised that the cause of the low pressure at the customer's property might be due to his own private internal pipework (for which the company is not responsible). Taking into account all of the above, I am satisfied that the company's actions in response to the customer's concerns have been fair, reasonable and proportionate. Therefore, I am not satisfied that the company failed to provide its services to the standard to be reasonably expected by the average person. I acknowledge that the findings above are also consistent with the conclusions reached by CCWater during its resolution process.
7. Following careful review of all the submissions provided, I am not satisfied that any failures have been established on the part of the company to provide its services to the standard to be reasonably expected by the average person. As such, in the absence of any failures on the part of the company, I conclude that the customer's claim is unable to succeed.
8. This decision cannot be appealed; however, the customer is not obliged to accept this decision and is free to pursue resolution through all other avenues as available to them.

Outcome

The company does not need to take any further action.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 18 March 2020 to accept or reject this decision.
- When you tell WATRS that you accept or reject the decision, the company will be notified of this. The case will then be closed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.

E. Higashi LLB (Hons), PGDip (LPC), MCI Arb.

Adjudicator

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.