

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0669

Date of Decision: 05 March 2018

Complaint

The customer states that the company has incorrectly calculated his bill, and has improperly refused to install a water meter in his property. He seeks a refund of the excess payments collected by the company, that the company accept annual payments of £44.34, and that the company apologise for its excessive fees and for denying his rights as a consumer.

Defence

The company states that it cannot install a water meter in the customer's property, and that it has calculated the customer's bill correctly. It has already made payments to the customer of £40.00 and £10.35 as gestures of goodwill.

Findings

The company has acted appropriately in its decisions regarding the installation of a water meter at the customer's property, and in its billing of the customer.

Outcome

The company does not need to take any further action.

The customer must reply by 02 April 2018 to accept or reject this decision.

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Date of Decision: 05 March 2018

Party Details

Customer: _____

Company: _____

Case Outline

The customer's complaint is that:

- In December 2015 he contacted the company to have a water meter installed in his property.
- After some delays an appointment was arranged, but he was told that he could not have a water meter installed.
- The company has acknowledged that he can have a water meter installed, but only if he pays a plumber to change the plumbing in his property.
- He consulted a plumber, who informed him that he received his water from upstairs, and that it would therefore already have been paid for by the residents upstairs.
- He has consulted a water meter calculator on the website of the Consumer Council for Water, which has confirmed that he should be paying £44.34 per year.
- He has paid £44.34 to the company for 2017, and argues that he is not obligated to pay further amounts.
- He seeks a refund of the excess payments collected by the company, totalling £1,454.64, that the company accept annual payments of £44.34, and that the company apologise for its excessive fees and for denying his rights as a consumer.

The company's response is that:

- On 5 January 2016 it received an online application from the customer for a water meter. It attempted to contact the customer to arrange an appointment to survey his property, but was unable to do so.

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- It received three further requests from the customer, but in each case was unable to reach the customer to arrange an appointment to survey his property.
- An appointment was ultimately made to survey the consumer's property on 23 May 2016.
- The survey confirmed that more than two internal meters would be required, and that an external meter could not be fitted as the company was unable to trace the customer's supply.
- As it was unable to fit a water meter, the company transferred the customer from a Rateable Value (RV) account to an Assessed Household Charge (AHC) account.
- It has offered to arrange another appointment with the customer to try again to trace the external supply to his property, to determine if an external meter can be fitted.
- All the flats in the building in which the customer lives are charged individually, and there has been no double-charging.
- It has calculated the customer's bill correctly.

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.

If the evidence provided by the parties does not prove both of these issues, the company will not be directed to do anything.

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.

How was this decision reached?

1. The customer has provided a clear rationale for wanting to have a water meter installed. I accept the customer's account of his water usage, and that he would likely have lower water bills if his property was metered.

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2. However, the company is correct that its obligation to install a water meter at a property is not an absolute one, and can be affected by the specific conditions of particular properties.
3. In the present case, the company has inspected the customer's property, and has established that because of the specific plumbing of the customer's property, it would need to install more than two water meters in order to meter the customer's property internally.
4. The company has, therefore, reasonably decided, in accordance with its legal obligations, that the customer's property cannot be internally metered.
5. The company has also offered to make a further appointment with the customer to attempt a second time to determine if it might be possible to install a water meter externally.
6. As the customer has requested a water meter but has not been provided with one, the company has appropriately moved the customer from a Rateable Value (RV) account to an Assessed Household Charge (AHC) account.
7. Consequently, I find that the company has acted in accordance with its obligations with respect to installation of a water meter at the customer's property.
8. The customer also argues that the company has incorrectly calculated his bill, and refers to a calculation he has performed on the website of the Consumer Council for Water.
9. However, the website calculator referred to by the customer is expressly stated to provide an estimate of what the customer's bill might be if he has a water meter installed, not what his bill should be if he does not have a water meter. It is also expressly stated to only provide an estimate, not a quotation that will be binding on a water company.
10. The customer has provided no further evidence from which it could be concluded that he has been billed incorrectly by the company.
11. Consequently, this element of the customer's complaint does not succeed.

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12. The customer also complains that he consulted a plumber, who informed him that he received his water from upstairs, and that therefore it would already have been paid for by the residents upstairs.
13. The company denies that it is double-billing any customers in the building in which the customer lives, and the customer has provided no evidence from which it would be possible to conclude that any such double-billing is occurring.
14. Moreover, even if the plumber's statement were correct, this would at most result in one of the customer's neighbours having a claim for a reimbursement of payments by the company, to the extent that they had made payments for the customer's water. It would not entitle the customer to avoid payments for which he is otherwise legally liable.
15. Consequently, this element of the customer's complaint does not succeed.
16. In view of the above, the customer's complaint does not succeed.


Outcome

The company does not need to take any further action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 02 April 2018 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.

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Tony Cole

Tony Cole, FCI Arb

Adjudicator

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