

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-XX95

Date of Decision: 07/01/2021

Complaint

The customer's claim is that the company has declined to relocate the existing stop tap to nearer the customer's property. The customer wants the company to install a new communication pipe from the mains water supply to the boundary of his property and relocate the stop tap.

Response

The company says that the existing pipework from the water main is a private supply pipe which is the property owner's responsibility. Thus, the company will not relocate the existing stop tap or add a stop tap nearer the customer's property. The company has advised the customer that he could employ a private plumber at his own cost to install an additional stop tap at the property boundary or install a new supply pipe. The company has not made any further offers of settlement.

Findings

I find the customer has not proven that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the customer supply pipe or stop tap.

Outcome

The company needs to take no further action.

The customer must reply by 04/02/2021 to accept or reject this decision.

necessary in order to enforce the decision.
www.WATRS.org | applications@watsr.org

ADJUDICATOR'S FINAL DECISION SUMMARY

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Date of Decision: 07/01/2021

Party Details

Company: X Company

Case Outline

The customer's complaint is that:

- The company has declined to relocate the existing stop tap to nearer the customer's property. • The customer is seeking the company to install a new communication pipe from the mains water supply to the boundary of his property and relocate the stop tap.

The company's response is that:

- The existing pipework from the water main is a private supply pipe which is the property owner's responsibility. As such, it will not be able to relocate the existing stop tap or add a stop tap nearer the customer's property. • The company has advised the customer that he could employ a private plumber at his own cost to install an additional stop tap at the property boundary or install a new supply pipe running to a nearer main water supply.

How is a WATRS decision reached?

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

- Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
- 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.

Customer: The Customer

How was this decision reached?

1. The dispute centres on whether the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the customer's supply pipe and the location of the external stop tap.
2. The company must meet the standards set out in the Water Industry Act 1991.
3. The company also has certain obligations regarding its customer services as set out in the OFWAT Guaranteed Standards Scheme and its Customer Guarantee Scheme.
4. From the evidence put forward by the customer and the company, I understand that the customer contacted the company on 17 July 2018 to trace his external stop tap. The customer wished the external stop tap to be relocated closer to his property as his supply pipe ran some distance through privately owned fields before arriving at his property. The company attended the customer's property on 7 August 2018; however, it could not establish the existing stop tap's exact location on the customer's supply pipe.
5. Following a letter from the customer on 12 August 2019, the company reattended the property on 22 August 2019 and established that the customer's external stop tap was on the customer's private supply pipe located approximately ½ mile from the customer's property near the company's main water supply.
6. On 27 August 2019, the company responded to the customer stating that the supply pipe from the external stop tap to the customer's property is the property owner's responsibility. The company also offered help installing an external stop tap but advised that this would be at the customer's expense.
7. On 3 June 2020, the customer raised a complaint to the company's chief executive relating to the company's unwillingness to relocate his external stop tap. I understand that on 11 June 2020 the company responded to the customer reiterating that the supply pipe from the external stop tap to the customer's property is the responsibility of the property owner and it would not be relocating the external stop tap to the boundary of the customer's property.
8. The customer remained unhappy with the company's response and escalated the dispute to CCWater to resolve, without success. On 24 November 2020, the

customer commenced the WATRS adjudication process.

9. The customer has queried the distance between the stop tap and his property. However, the company explains within its response that the length of the supply pipe would have been the original property owner's choice and not that of the company. It is not clear from the evidence whether the customer or the previous owner initially requested the water connection; however, I am satisfied it would have been their choice as to the length of the supply pipe from the company's water main.

10. As set out in the company's response and OFWAT's website, the company is responsible for the pipework up to the stop tap, including the stop tap itself. The supply pipe which carries water to the customer's property and the internal pipework is owned by the property owner, who is responsible for maintenance and keeping it in good condition. I sympathise with the customer regarding the distance between the existing stop tap and his property; however, this is not due to any failure by the company.

11. I note that the customer has requested a new supply pipe that would connect to a newer water main nearer to the customer's property. There is a newer water main nearer to the customer's property. However, I find no obligation for the company to install a supply pipe from this nearer water main to the customer's property. I agree with the company's position that if the customer wishes to connect to this nearer main, it is the customer's responsibility to install a new supply pipe to replace the existing working supply pipe.

12. After reviewing the documents put forward in evidence, I find that installing a new supply pipe or the cost of installing an additional stop tap nearer his property on his existing supply pipe would be for the customer to carry out. Therefore, I find no failing by the company in this respect and for the sake of completeness I find the customer has suffered no disadvantage due to the location of the stop tap or length of the supply pipe.

13. The company has certain obligations in respect of its customer services. From the evidence provided, I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind why the supply pipe and the cost for adding a new stop tap were the customer's responsibility. Furthermore, on reviewing the various correspondence, I believe that the company dealt with the customer's concerns efficiently and appropriately considering the circumstances. Accordingly, I am satisfied there have been no failings concerning customer service.

14. The customer has submitted comments on the Proposed Decision. However, I

find this has not raised any matters which affect my decision and so those comments will not be specifically addressed.

15. In light of the above, I find the customer has not proven that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the customer's supply pipe and the external stop tap's location.

Outcome

1. The company needs to take no further action.

What happens next?

This adjudication decision is final and cannot be appealed or amended.

The customer must reply within 20 working days to accept or reject this final 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.

Mark Ledger
Adjudicator