

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT-XX39

Date of Decision: 24 February 2021

Complaint

The unmeasured charges for his water supply, based on his property's rateable value, were higher than the measured charges he paid at his previous address. Therefore, the customer asked the company to fit a meter, however, it could not carry out a meter survey at his property due to the Covid-19 pandemic and he was put on Accessed Household Charges (AHC). This has reduced the customer's charges, but he is still paying more than he was at his previous address and he wants the company to fit a meter as soon as possible. Also, the customer has discovered that his neighbour's water pipe runs through his property and he wants the company to compensate him for this.

Defence

When the customer applied for a meter, the company explained that it could not conduct a meter assessment due to Covid-19 restrictions, so the company put him on Assessed Measured Charges (AMC) and told him to reapply for a meter assessment when the restrictions are lifted. AMC reduced the customer's charges from £270.85 to £190.64 for the period 15 August 2020 to 31 March 2021. If the customer reapplies, it will conduct a meter assessment when it is safe to do so. The customer has asked for compensation because his supply is connected to his neighbour's pipework. However, the company is not responsible for the private pipework arrangements at the customer's property and it cannot be expected to compensate the customer for having a shared supply.

The company has not made an offer of settlement.

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Findings

I accept that it would have been inappropriate for the company to attend the customer's property to assess whether it could fit an internal meter during the pandemic restrictions. However, if the customer reapplies for a meter, the company has committed to carry out a meter assessment when it is safe to do so. In view of the above, I do not find that the company has failed to provide its service to the standard reasonably expected by the average customer. The customer claims an unspecified sum in compensation because his neighbour's pipework is connected to his supply. However, as the company does not own the private supply pipes inside the customer's property boundary and is not responsible for how they are arranged, the customer's claim for compensation does not succeed.

Outcome

The company does not need to take any further action.

The customer must reply by 24 March 2021 to accept or reject this decision.

ADJUDICATOR'S DECISION

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Date of Decision: 24 February 2021

Party Details

Customer: The Customer.

Company: The Company.

Case Outline

The customer's complaint is that:

- He moved to his property in August 2020 and found that his water charges, based on his property's rateable value, were higher than the metered charges he had paid at his previous address.
- He asked the company to fit a meter; however, the company advised that it could not attend his property to carry out a meter survey due to the Covid-19 pandemic and, therefore, he was put on AHC. The company has asked their customers on AHC to re-apply for a meter when the Covid-19 restrictions are lifted.
- He wants the company to fit a meter as soon as possible.
- Also, he discovered that his neighbour's supply pipe runs through his property. The company has said that it is not responsible because the supply pipe is private and its legal responsibility ends at the boundary to the highway where the main is located. However, he wants the company to compensate him for the presence of his neighbour's pipe in his house.

The company's response is that:

- When the customer moved into his property, his charges were raised on an unmeasured basis and the customer applied for a water meter.

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- When a customer requests a meter, it visits the property to assess whether it is possible to fit one; this involves entering the property to check the pipework arrangements. Where it is unable to fit a meter, it offers customers AMC instead. AMC is the average measured charge for the number of people living at a property and reflects the typical usage expected had a meter been fitted.
- However, the Covid-19 pandemic has changed this process. Due to government recommendations and the on-going restrictions, it has suspended all but emergency work inside customers' homes until it is safe for both its customers and its employees.
- In view of this, to make sure its customers are not disadvantaged, any customer making an application for a meter is automatically placed onto AMC. It has advised these customers that their charges will remain on AMC and if they still want a meter after the restrictions have been lifted, they can reapply for a survey.
- In the customer's case, it explained to the customer why it could not carry out a meter assessment and put his account on AMC. This has reduced his charges from £270.85 to £190.64 for the period from 15 August 2020 to 31 March 2021.
- The customer has been told to reapply for a meter when the Covid-19 restrictions are lifted. However, the customer cannot have an external meter because the customer's property is on a shared supply and, therefore, it cannot fit a meter on the external stop tap. In view of this, it has explained to the customer that it will visit the property to assess whether or not a meter can be fitted inside the property instead. However, for the reasons explained above, this will be when the Covid-19 restrictions have been lifted.
- Unfortunately, even though it has fully explained its position to the customer, he has continued to ask for a meter. It has received in excess of four hundred contacts from the customer since October 2020 on this matter. This has resulted in significant confusion for its teams, including whether it needs to visit the property, and led to an appointment to carry out an external meter survey being made unnecessarily.
- The customer has also asked to be compensated for the pipework arrangements at his property, as his supply is connected to his neighbour's pipework.
- There are three different types of water pipes; water mains are the large company-owned pipes that distribute water around the network, communication pipes carry water between the water mains and the boundary of a private property, and supply pipes, some of which are shared between neighbouring properties, are the smaller pipes that carry water from the company pipework into the property. Supply pipes are privately owned and, as such, are not its responsibility.

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- In July 2019, it visited the property to assist the customer in locating the stop tap for the property and confirmed that the supply was shared with a neighbouring property. In October 2020, the customer called to report that after he had fitted a new internal stop tap, both his and his neighbour's supply was off. The customer then advised that he had mistakenly capped off the supply shared with his neighbour, but he had remedied the problem. This also confirms that the property is on a shared supply.
- As supply pipes are private, it is not responsible for the way the private pipework is arranged at the customer's property and it cannot be expected to compensate the customer for having a shared supply.

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. Please note that 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. Having reviewed the evidence provided by the parties, I find that the Covid-19 pandemic has prevented the company from carrying out its business in the normal way, and I accept that it would have been entirely inappropriate, and against the health and safety interests of the customer, the company's employees and the public as a whole, for the company to attend the customer's property to assess whether it could fit an internal meter during the pandemic restrictions. The evidence shows that the company has clearly communicated with the customer and explained why it is unable to assess his property for a meter at this time, put the customer on AMC to ensure, as far as possible, that he is not financially disadvantaged by the

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delay, and committed to carry out a meter assessment when it is safe to do so, should the customer reapply.

2. In view of the above, I do not find that the company has failed to provide its service to the standard reasonably expected by the average customer by refusing to carry out a meter assessment until it is safe to do so. Therefore, I make no direction to the company in this regard.
3. The customer also claims an unspecified sum in compensation because his neighbour's pipework is connected to his supply. The evidence confirms that the customer is on a shared supply; however, the company does not own the private supply pipes inside the customer's property boundary and is not responsible for how they are arranged. It therefore follows that the company is not responsible for compensating the customer because he is on a shared supply and, whilst I appreciate that my decision will disappoint the customer, the customer's claim for compensation does not succeed.
4. Following my preliminary decision, the customer made some further comments and complains that I did not address an issue he raised following the company's response to the claim about waiting for the company to arrive for an appointment. However, as this did not form part of the customer's initial complaint, and the WATRS scheme rules do not permit the customer to raise new issues at this stage, I did not address it. The other comments made by the customer repeat the issues he raised in his application for adjudication and have already been fully considered; therefore, it is unnecessary to consider them again.

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 24 March 2021 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.

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- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.

KS Wilks

Katharine Wilks

Adjudicator

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