

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X439

Date of Decision: 12/07/2021

Party Details

Customer:

Company:

Complaint

The company is planning to fit a meter outside the customer's property as part of a pro-active project to detect leaks. The customer is unhappy that the company has planned to do this without his permission and is concerned that the meter will be used to monitor his water usage and change the way he is billed. In view of this, he wants the company to remove the meter after it has been used to test for leaks.

Response

The company plans to install a meter at the customer's property as part of a project to proactively detect leaks and monitor water pressure issues on its network. Under section 158 of the Water Industry Act 1991, the company has the right to fit a meter on its external stop tap outside the customer's property and denies responsibility to remove it after installation. However, the meter will have no impact on the customer as it will not change the way he is billed.


The company has not made an offer of settlement.

Findings

I accept that section 158 of the Water Industry Act 1991 entitles the company to fit a water meter on its pipework outside the customer's property without the customer's permission. Therefore, the company has not failed to provide its service to the standard reasonably expected by the average customer by selecting the customer's property to have a meter installed and refusing to remove the meter after it has been used to test for leaks. In view of this, the customer's claim to have the meter removed after it has been installed cannot succeed.

Outcome

The company does not need to take any further action.



The customer must reply by 09/08/2021 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

• The company is planning to fit a meter at his property as part of its pro-active project for continuous leak detection. It has explained that the meter is solely for monitoring purposes and its installation will not change the way he is billed from unmeasured to measured charging but, once it is installed, it cannot be removed. • He is unhappy that the company has planned to fit a meter without his permission, and that he has been selected to take part in the project when he has not had a leak in forty years. • Despite the company's reassurance, he remains concerned that the meter will be used to monitor his water usage and change the way he is billed in the future. In view of this, he has asked the company to remove the meter once it has been used to carry out the initial leak checks, but it has refused. • Therefore, he wants the adjudicator to direct the company to remove the meter if no leak is detected shortly after installation, or after a leak is detected and repaired.

The company's response is that:

• It is enhancing its network by installing radio enabled water meters to its external stop taps each time it has a stop tap or boundary box job to complete. It plans to install approximately 15,000 new meters every year to proactively detect leaks and monitor pressure issues; this will help prevent water wastage as leaks and pressure issues will be repaired more efficiently and, ultimately, it will reduce the cost of water for all its customers. • Under section 158 of the Water Industry Act 1991, it has the right to install meters on its pipework and, therefore, there is no option for the customer to opt out and the meter will not be removed after fitting. • After installation, the customer can request metered charges. However, if the customer does not request metered charges and wishes to remain on unmeasured charges, the meter will have no effect on the way he is charged. • In view of this, liability to remove the customer's meter after fitting is denied.

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.

How was this decision reached?

1. Having reviewed the evidence presented by the parties, I accept that section 158 of the Water Industry Act 1991 entitles the company to fit the water meter on its pipework outside the customer's property without the customer's permission, and keep it there as part of its plan to continuously monitor the water network for leaks and pressure issues.
2. In view of the above, the company has not failed to provide its service to the standard reasonably expected by the average customer by selecting the customer's property to have a meter installed and refusing to remove the meter after it has been fitted.
3. Therefore, while I appreciate that my decision will disappoint the customer, the customer's claim cannot succeed.
4. However, in order to reassure the customer, I state that I am persuaded that the meter will have no impact on the customer as the evidence demonstrates that the company has no current plans to change his charges from an unmeasured to a measured basis.

Outcome

1. 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 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.

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Kate Wilks
Adjudicator