

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X470

Date of Decision: 13/08/2021

Party Details

Customer:

Company:

Complaint

The customer claims that he has experienced low levels of water pressure at his property, particularly when his neighbours are using water. The customer is seeking the company to be responsible for the shared lead supply pipe causing the drop in pressure and look at ways to resolve the pressure issue.

Response

The customer's water pressure is sufficient as the pressure provided to the customer's supply pipe is within the required pressure set out in the regulations. The customer's supply pipe is a shared private water supply pipe, and the repair and maintenance are the responsibility of the owners of the properties it serves. If the customer wishes to have a new single-serving private supply pipe installed to his home, he would be responsible for arranging this and for any costs involved. However, if a new single-serving private supply pipe is installed, as the existing supply pipe is made of lead, the company will carry out the work required to inspect the pipe to ensure it meets the required regulations and connect it to their water mains network without charge. The company has not made any offers of settlement.

Findings

I am satisfied the company did not fail to provide its services to the customer to the standard to be reasonably expected regarding low water pressure experienced by the customer or in helping the customer resolve the pressure issue.

Outcome

The company does not need to take any further action.

The customer must reply by 13/09/2021 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

• He has experienced low levels of water pressure at his property, particularly at the time that his neighbours are using water. • The customer is seeking the company to be responsible for the shared lead supply pipe causing the drop in pressure and look at ways to resolve the pressure issue.

The company's response is that:

• The customer's water pressure is sufficient as the pressure provided up to the customer's supply pipe is within the required pressure as set out in the regulations. • The customer's supply pipe is a shared private water supply pipe, and the repair and maintenance are the responsibility of the owners of the properties it serves. • If the customer wishes to have a new single-serving private supply pipe installed to his home, he would be responsible for arranging this and for any costs involved. • However, if a new single-serving private supply pipe is installed, as the existing supply pipe is made of lead, the company will carry out the work required to inspect the pipe to ensure it meets the required regulations and connect it to their water mains network without charge.

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. This dispute centres on whether the company failed to provide clean water to the customer's property at the pressure required by the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008.
2. The company is required to meet the standards set out in the Water Industry Act 1991, and the effect of this is to place an obligation on a water and sewerage company to connect a customer's premises to the company mains water, maintain its pipework and provide a supply of water for domestic purposes.
3. The company is also required to provide a minimum level of water pressure of 0.7 bar of pressure as set out in the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008.
4. From the evidence put forward by the customer and the company, I understand that the customer contacted the company in June 2020 to advise there was an issue with the water pressure he was receiving at his property. The company attended on 29 June 2020 and established that the private water supply pipe to the customer's property was shared with five other properties. The company also checked the level of the water pressure at the point it leaves the company's water mains network and confirmed it exceeded 0.7 bar.
5. The customer was informed that there were no issues with the supply as it leaves the company's mains network, the problems with pressure were due to the size and condition of the shared private lead supply pipe. I understand that the company recommended that the customer consider installing a new single-serving private supply pipe to the property. As the new pipe would only serve the customer's property, it would improve the flow and pressure of the water supply and would not be affected by water usage at the customer's neighbouring properties. I understand that, during this dialogue, the customer raised issues with the pipe being made of lead and the company also took samples of the water supply from the customer property for analysis, which confirmed that the water supply was satisfactory and met all required standards.
6. On 8 March 2021, the customer once again contacted the company as he remained concerned about the low pressure of the water supply at his property and his responsibility for the cost of installing a private supply pipe. I understand that the company responded on 22 March 2021, confirming the responsibility for water supply pipes and advising the customer of the company's free lead replacement scheme.
7. The customer remained unhappy, and on 22 March 2021, he responded to the

company as he was dissatisfied with the response and was concerned about the levels of lead in the water supply and wanted this checked. On 24 and 25 March 2021, the company attended the property to check the flow and pressure of the water supply as it leaves its pipework and also to take a sample of the water for analysis. The evidence shows that the water pressure was checked on 25 March 2021 and recorded at 2.47 bar with a flow rate of 25 litres per minute. Furthermore, the sample results from the company's laboratory confirmed the sample was satisfactory and met all the required standards.

8. Further discussions then took place between the parties. However, the customer remained unhappy and contacted CCWater in April 2021 to pursue the matter further. I understand from the evidence that at the end of the CCWater investigation, the company had explained that the customer's supply pipe is a shared private water supply pipe, and the repair and maintenance are the responsibility of the owners of the properties it serves. However, if a new single-serving private supply pipe is installed, as the existing supply pipe is made of lead, the company will conduct the work required to inspect the pipe to ensure it meets the required regulations and connect it to their pipework without charge. The customer remained unhappy, and on 1 June 2021, commenced the WATRS adjudication process.

9. Concerning whether the company failed in its duty to provide a minimum level of water pressure of 0.7 bar of pressure, the evidence shows that on the occasions that the customer contacted the company to highlight an issue with his water pressure, the company investigated promptly and found the pressure to be above the minimum level of water pressure of 0.7 bar as set out in The Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008. It was found that the pressure issues were due to the size and condition of the shared private lead supply pipe. On review of the evidence, I find that I agree with the company's comments that it has thoroughly investigated the low water pressure and has maintained the minimum level of water pressure of 0.7 bar. Accordingly, I find no grounds to conclude that the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person regarding the customer's water pressure.

10. As to the supply pipe itself, the company is responsible for the pipework up to the stop tap, including the stop tap itself. The supply pipe that carries water to the customer's property and the internal pipework is owned by the property owner, who is responsible for maintaining and keeping it in good condition. I note the customer's comments concerning lead contamination; however, the evidence shows no issues were found with the quality of the water due to the pipe being made of lead, only with the pressure due to the size and condition of the pipe.

11. On review of the evidence, I find that I agree with the company's comments that as the supply pipe is a private pipe, the customer would be responsible for the cost of any work to replace it or install a new pipe. I note that the company has provided advice on how to resolve the pressure by either renewing the shared supply pipe or installing a new single-serving private supply pipe to the property. As the new pipe would only serve the customer's property, it would improve the flow and pressure of the water supply and would not be affected by water usage at the customer's neighbouring properties.

12. As the private supply pipe to the property is made of lead, the company has also said that if the customer replaced the private side of the supply pipe, the company would carry out the work to connect the newly installed pipe to the network free of charge. The company would also ensure the communication pipe, which is the company's responsibility, would also be renewed if it was lead.

13. On review of all the evidence, I find no grounds to conclude that the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person regarding the responsibility for the shared lead supply pipe or in helping the customer resolve the pressure issue.

14. 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 why the pressure supplied to the customer's property was above the minimum required and what measures could be taken to improve it. Furthermore, on review of 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.

15. The customer has made comments on the Preliminary Decision concerning whether someone took the water pressure on 24 March 2021. The company work notes show that the pressure was taken on the 25 March 2021, not as set out in the Preliminary decision the 24 March 2021. However, I find the date that the water pressure was taken has no bearing on the fact that I found no grounds to conclude that the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person regarding the responsibility for the shared lead supply pipe or in helping the customer resolve the pressure issue.

16. Considering the above, I find the evidence does not show that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the responsibility for the shared lead supply pipe or in helping the customer resolve the pressure issue, nor does the evidence show that the company failed to provide its services to the standard to be

reasonably expected when investigating these issues.

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.

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Mark Ledger
Adjudicator