

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X041

Date of Final Decision: 10 August 2022

#### Party Details

Customer:

Company:

#### Complaint

The customer claims that he did not permit the company to install a meter at his property. Once he raised this issue with the company, he was advised that the meter could not be removed, and he could not revert to his Rateable Value tariff. The customer is seeking the company to revert to his Rateable Value tariff.

#### Response

The company says the customer requested that a meter be installed and did not request the company to revert to his Rateable Value tariff until after the 1-year grace period. Accordingly, the company will not stop using the meter for billing purposes, and no further sums are due concerning any failings in customer service as the customer has already been adequately compensated. The company has not made any further offers of settlement.

#### Findings

I am satisfied that the evidence shows the company did not fail to provide its services to the standard to be reasonably expected regarding installing and using a meter for billing purposes. The reasons and evidence provided by the customer are insufficient to justify that the company should stop using the meter for billing purposes.

#### Outcome

The company does not need to take any further action.

The customer has until 31 August 2022 to accept or reject this decision..

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# ADJUDICATOR'S FINAL DECISION

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## Case Outline

### **The customer's complaint is that:**

- REDACTED did not give permission for the company to install a meter at his property.
- Once REDACTED raised this issue with the company, he was advised that the meter could not be removed, and he could not revert to his Rateable Value tariff.
- The customer is seeking the company to revert to his Rateable Value tariff.

### **The company's response is that:**

- The customer requested that a meter be installed and did not request the company to revert to his Rateable Value tariff until after the 1-year grace period.
- Accordingly, the company will not stop using the meter for billing purposes, and no further sums are due concerning any failings in customer service as the customer has already been adequately compensated.

## 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 another disadvantage as a result of a failure 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

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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 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 dispute centres on whether the company should stop using the customer's water meter for billings purposes as the meter installation was not requested.
2. The company must meet the standards set out in OFWAT's guidance on the Water Meters, the Water Industry Act 1991 and the Water Industry Regulations 1999.
3. The company also has certain obligations regarding its customer services as set out in OFWAT Guaranteed Standards Scheme and its own Guarantee Standards Scheme (GSS).
4. From the evidence put forward by the customer and the company, I understand that on 29 March 2019, the customer contacted the company to discuss his account and completed an Optional Metering Application Form whilst on the call with the company. Whilst I understand that there is no recording of the call due to its age, the evidence shows that the form was completed successfully, and an appointment was made with the customer to see whether a meter could be fitted.
5. On 5 April 2019, the company undertook a meter survey and confirmed that a meter could be fitted. On 9 April 2019, a meter was fitted to the customer's property, and a card confirming that a meter had been fitted was left at the customer's property.
6. Between April 2019 and November 2021, various discussions took place between the parties regarding the company's WaterHelp scheme resulting in the company backdating WaterHelp Scheme and providing a WaterHelp 50% discount going forward.
7. The evidence shows that at some point after November 2021, three further occupiers have moved into the customer's property, and the metered charges have increased. I understand that the customer has since raised a complaint concerning the installation of the meter and requested that his billing be altered back to a Rateable Value basis.

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8. The company's position was that as the meter was installed at the customer's request and that he did not request it to be removed within the one-year grace period, it would not stop using the meter for billing purposes. The customer disagreed as REDACTED says REDACTED never requested the meter to be installed and progressed the matter to CCWater to resolve. I understand that CCWater could not resolve the dispute and, on 13 June 2022, commenced the WATRS adjudication process.
9. Regarding whether the company should stop using the customer's meter for billing and revert the customer to a Rateable Value tariff, whilst a call recording is not available, I find that on the balance of probabilities, the customer asked the company to apply for a meter on his behalf while REDACTED was on the telephone. I understand that the form cannot be sent if any of the company's questions are not fully answered.
10. The evidence shows that the customer would have been asked for the number of occupiers and the number of bedrooms, a daytime telephone number, confirmation of the address where the meter is required and his date of birth. Once the fully completed application form is received by the company's metering team, then they make an appointment to carry out the survey, which would have required access to the kitchen cold tap and the internal stop valve. There is no indication that the customer refused entry to the metering team or that REDACTED
11. refused to have a meter installed despite having the opportunity to cancel the meter fit right up to the date the meter was fitted.
12. The company's Charges Scheme allows the customer to revert to a Rateable Valve charge within one year of the installed meter. The evidence shows that the customer only requested that he be moved back to Rateable Valve charges once his circumstances had changed in November 2021 when three further occupiers moved into the customer's property, and the metered charges increased. As this request was outside the one-year grace period and having reviewed the evidence in full, I find I am unable to uphold the customer's claim that the company should stop using the meter for billing purposes and revert to Rateable Valve charges.
13. The company has certain obligations in respect of its customer services. After careful review of both the customer's letters and the company's responses, I am satisfied that, by the end of the company's dialogue with the customer, the company had adequately explained the reasons why a meter was being used at the customer's property for billing purposes and why it could not be removed.

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13. From the timeline set out within the various correspondence, I find the company responded adequately to all the customer's concerns. Where there has been failing in customer services, the company has applied a £40.00 credit to the customer's account. Accordingly, I am satisfied there have been no failings concerning customer service for which the customer has not already been adequately compensated.
14. The customer and company have made various comments on the preliminary decision, with the customer's comments directed to the fact that REDACTED did not request a meter. Having carefully considered each aspect of the customer's comments in conjunction with the company's comments and on a further review of all the evidence, I find that they do not change my findings, which remain unaltered from the preliminary decision.
15. Considering the above, I find the customer has not proven the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the installation and use of a meter for billing purposes. Furthermore, I am satisfied there have been no failings regarding customer service for which the customer has not already been adequately compensated.

#### **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 31 August 2022 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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**Mark Ledger FCI Arb  
Adjudicator**

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