

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT/X167

Date of Final Decision: 19 October 2022

Party Details

Customer:

Company:

Complaint

The customer says the company has refused to separate her water supply from her neighbour's, leading to concerns she is paying for her neighbour's usage. She seeks that the company install a new supply pipe serving her alone.

Response

The company says it is not responsible for the customer's private pipework, which includes the shared supply. It confirms it bills the customer correctly for her own usage. It denies the claim.

Findings

The evidence shows the company provided its services to the standard to be reasonably expected.

Outcome

The company does not need to take any action.

The customer must reply by 16 November 2022 to accept or reject this decision

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Case Outline

The customer's complaint is that:

- Her mother shares a water supply pipe with a neighbouring farm and believes the company is billing her for the total usage.
- She wants the company to install a new supply pipe serving her mother's property alone.
- In comments on the company's response the customer says the company erred in creating the shared supply in the first instance and she is only asking that it rectify this error.
- In response to a preliminary decision the customer queried why the company's map made no mention of easements relating to the property.

The company's response is that:

- The company's responsibility for pipework ends at the boundary to the customer's property.
- After the boundary the supply pipe continues, supplying both the customer and a neighbouring property. There is a meter on the pipe near the customer's home and a sub meter further along the pipe to the neighbouring property.
- The company calculates the customer's usage by deducting the reading at the sub meter from the customer's meter reading.
- The supply pipe is private pipework. It has no responsibility to make changes to this.
- When the customer raised concerns about increased usage it advised her to carry out a leak test.
- It denies the claim.

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.

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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. 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 company is right to say it has no responsibility, control or ownership over private pipework; that is pipework on private property.
2. I acknowledge the customer has a shared supply with her neighbour and she has concerns about paying for their usage inadvertently. However, the shared supply is private pipework. This means if the customer wants to make any changes to this she would need to do this herself; the company has no obligation to do so.
3. The company does have to ensure it charges the customer correctly, including taking steps to ensure it does not charge her for her neighbour's usage. The company has explained how it ensures this, by deducting her neighbour's usage as recorded at a sub meter from the customer's metered usage. There is no evidence to suggest this has not worked as expected.
4. The company was entitled to refuse to make changes to the customer's private pipework. Therefore, the evidence does not show it failed to provide its services to the standard to be reasonably expected.
5. On review of the CCWater correspondence I note the customer queried how the shared supply was created and the company explained it had no knowledge of issues related to the private pipework. There is no evidence to suggest the company connected the neighbour to the customer's supply pipe or otherwise created the shared supply. Or, that if it did, that it was

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wrong to do so. I therefore cannot say the company erred in this respect as suggested by the customer.

6. I appreciate the customer may be disappointed with my findings. However, it is not within my remit to require the company to take the action requested when there is no law or policy requiring or enabling it to do so.
7. It is not within my remit to address the customer's query regarding the company's documents, given this does not affect my decision. The customer may wish to raise this with the company directly.

Outcome

The company does not need to take any action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 16 November 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.



J Mensa-Bonsu LLB (Hons) PgDL (BVC)
Adjudicator

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