

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT/X209

Date of Final Decision: 16 November 2022

#### Party Details

Customer:

Company:

#### Complaint

The customer says the company delayed separating a shared water supply meaning she paid for water used by third parties. She seeks that the company waive its charges for works to rectify this, in the sum of £1092.18, by way of compensation.

#### Response

The company denies any delay. It explained to the customer the charges for surveys and the installation of sub-meters in order to issue separate the bills. It could not install the sub-meters until the customer completed work on the private pipework; this delay was outside its control.

#### Findings

The evidence does not show the company failed to provide its services to the standard to be reasonably expected.

#### Outcome

The company does not need to take any action.

The customer must reply by 14 December 2022 to accept or reject this decision.

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## Case Outline

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

- The company supplied water to a farm. All the buildings on the farm shared a water supply.
- At the time she purchased two of the farm buildings she expected the seller to separate the water supplies however they did not do so.
- As her property was the first on the supply pipe, the company billed her for all water supplied, including that used by the other properties.
- She had been trying to resolve this with the company since 2019.
- The company had now installed sub meters so that she only paid for her own usage. It charged £1092.18 for these works.
- She seeks that the company waive its bill in the sum of £1092.18 as compensation.
- The customer did not comment on the company's response.
- The customer did not comment on a preliminary decision.

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

- There are five properties that share a water supply. Four of these properties were purchased by the customer. The water consumption for all five properties was recorded by one meter, which meant that only one bill could be issued.
- To resolve this the customer initially applied for new separate water supplies but she did not proceed with this.
- The customer then decided to have sub-meters fitted for each property. It charges for all surveys/visits and the installation of sub-meters. It made this clear to the customer before any visits.
- It advised the customer she would need to adjust the private pipework before It could fit the sub-meters.

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- Any delay in fitting the sub-meters was due to the private pipework not being altered to accommodate the sub-meters.
- The charges for the surveys and sub-meter installation amounted to £1092.18, which the customer paid.
- It has set up new, separate, billing accounts for each property. The owners/occupiers of each property will now receive individual bills.
- It also cancelled an outstanding water bill of £1193.13, which covered charges for the water used at all of the properties.

### 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. 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 entitled to charge for water its supplies to a property based on the usage recorded at its water meter. Both parties agree the company charged the customer based on usage recorded at her meter.
2. The issue in this case is that the supply was shared with other properties; the meter recorded all the water used and; the customer was charged for all. There is nothing to suggest this was a

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problem in the past and indeed the customer purchased her home knowing this was the arrangement.

3. Given this, I accept the company's submission that it was for the customer to seek that the company install separate supplies or that it install sub-meters for each property, if she wished to exchange the existing arrangement. There is nothing to suggest the company was otherwise obliged to act.
4. The customer complains the company has taken since 2019 to resolve the issue, finally installing sub meters in 2022. However, the customer has not detailed what has happened since 2019, what requests she made of the company, dates that events occurred or how delays arose. She has not made clear where she considers the company failed to meet her expectations.
5. The company has provided a brief defence, stating that any delays were due to the customer or third party delays in adjusting private pipework. It has not provided evidence in support. However, the CCWater documents include a copy of a detailed timeline of actions provided by the company. This includes the dates the company carried out surveys and works. It also refers to works required on the private pipework. This supports the company's position and shows no undue delay in the company's action, rather it was awaiting changes to the private pipework. The customer has not made any submissions or provided any evidence to contradict this.
6. In order for the customer's claim to succeed, the evidence available 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 the customer has suffered some loss or disadvantage as a result.
7. However, in this case, there is not enough evidence to find, even on balance, that the company has delayed in making changes to the customer's water supply. I therefore cannot find it responsible for any loss or disadvantage suffered by the customer. Therefore, the customer's claim is unable to succeed.

#### **Outcome**

The company does not need to take any action.

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### What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 14 December 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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