

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0884

Date of Decision: 03 October 2018

Complaint

The customer's claim is that he cannot be held responsible for the water usage of multiple properties, which have been connected to his private water supply pipe without authorisation. The customer is seeking the company to help him identify the people who have tapped into his water supply pipe and reduce his bill to reflect his own actual usage.

Defence

The company submits the third-party connections to the customer's private supply pipe is a private issue, which the company is not responsible for. Accordingly, the company cannot reduce the customer's bill as the customer is liable for the usage on his supply pipe whether or not there is any third-party connections to that supply. The company admits some failings regarding customer service for which the customer has already compensation for. Therefore, no further sums are due. The company has not made any further offers of settlement.

Findings

I am satisfied the evidence points to the fact the company did not fail to provide its services to the customer to the standard to be reasonably expected regarding the third-party connections to the customer's supply pipe. The evidence shows the company failed, when dealing with the customer's complaint, to provide customer service to the standard to be expected. However, the customer has already been compensated for these failings to his satisfaction, so I find no further sums are due.

Outcome

The company needs to take no following further action

- The customer must reply by 31 October 2018 to accept or reject this decision.

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ADJUDICATOR'S DECISION

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Date of Decision: 03 October 2018

Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- He cannot be held responsible by the company for the water usage of multiple properties, which have illegally connected to his private water supply pipe.
- There is excessive distance between the company's meter and his small holding.
- The customer is seeking the company to help him identify the people who have tapped into his water supply pipe and reduce his outstanding bill of £855.85 to reflect his own actual usage rather than that of multiple properties.

The company's response is that:

- The third-party connections to the customer's private supply pipe is a private issue, which the company is not responsible for. Accordingly, the company cannot reduce the customer's bill as the customer is liable for the usage on his supply pipe, whether or not there is any third-party connections to that supply.
- However, the company has suggested, to resolve this issue, the customer negotiates with the third-parties to move the customer's account into the names of all the connected parties and for the third parties to contribute to the outstanding invoice. Alternatively, for the customer's invoice to be evenly distributed to all the parties connected.
- With regard to the length of the supply pipe this would have been the small holding owner's choice, not that of the company.
- The company further admits there were some failings in customer service during their dialogue with the customer for which the company has apologised and adequate compensation was offered and accepted.

How is a WATRS decision reached?

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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 dispute centres on whether the company can be held responsible for the water usage of multiple properties that the customer alleges have connected to his private water supply pipe without authorisation. The company is required to meet the standards set out in the Water Industry Act 1991.
2. Furthermore, the company also has certain obligations in respect of its customer services as set out in OFWAT Guaranteed Standards Scheme (GSS) and the company's own Customer Guarantee Scheme (CGS).
3. From the evidence put forward by the customer and the company, I understand the customer has a private water supply pipe from a meter located within the village of [] to his small holding 1.5 miles outside the village. The customer's small holding contains three water troughs used for the grazing and stabling of five horses. The customer has queried the distance between the meter and his small holding, however, the company explains within its defence the length of the supply pipe would have been the small holding owner's choice and not that of the company or the wholesaler (who would have installed the meter originally). It is not clear from the evidence whether it was the customer or the small holding's previous owner who originally

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requested the water connection; however, I am satisfied it would have been their choice as to the length of the supply pipe from the company's water main. Therefore, I find no failing by the company in this respect and for sake of completeness I find the customer has suffered no disadvantage due to the location of the meter or length of supply pipe.

4. With regard to the customer's comments that he cannot be held responsible by the company for the water usage of multiple properties, which he says have illegally connected to his private water supply pipe. The evidence shows the customer initially contacted the company in August 2017, querying his bill, and it was established in November 2017 that two third-party owned properties have connected to the customer supply pipe. From both the company's and customer's evidence it is agreed between the parties these third-party owned properties have increased the customer's bill; however, the company states the customer is still liable for the bill as third-party connections to a private supply pipe is a private matter for which the company has no responsibility. As set out in the company's defence and OFWAT's website, the supply pipe from the meter to the customer's property is the responsibility of the property owner. Therefore, I find that any connections to this pipe, authorised or otherwise are the responsibility of the customer.

5. Within the customer's dialogue with the company, the company has offered various options to help resolve the issue. These options being: the customer discuss the supply arrangements with the third-parties; install private sub-meters and discuss the charges with the third-parties; and, apply for a new connection. The customer has stated that he does not want to pursue any of these options and he wishes the company to contact the third-parties. Whilst I understand the customer's reluctance in this regard, the company is correct that as this is a private issue it cannot dispute the third-party usage on the customer's behalf or provide details on the third-parties. The company, within its defence, has now suggested, to resolve this issue, the customer negotiates with the third-parties to move the customer's account into the names of all the connected parties and for the third-parties to contribute to the outstanding invoice. Alternatively, for the customer's invoice to be evenly distributed to all the parties connected. I am satisfied either of these approaches are a suitable way forward for the customer in the current situation. In light of the above, I find the company did not fail to provide its services to the customer to the standard to be reasonably expected by the average person with regard to the third-party usage of the customer's water supply. Accordingly, I find the company is under no obligation to reduce the customer's bill and that it is for the customer to seek redress from any third-parties who have connected to his private supply pipe.

6. The company has certain obligations in respect of its customer services and I find the customer has been adversely affected by the lack of information throughout his dialogue with the company. I am satisfied the company accepts it provided poor service in this respect. I understand from the company's defence this issue was resolved within the correspondence with the Consumer Council for Water and the customer was compensated to his satisfaction at that time.
7. In light of 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 with regard to the third-party usage of the customer's water supply, nor has the customer proved the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied there have been no failings with regard to customer service, which the customer has not been already adequately compensation for, as the company has provided a good level of service at all other times throughout its dialogue with the customer.

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 October 2018 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 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.



Mark Ledger FCI Arb
Adjudicator

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