

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0943

Date of Decision: 25 October 2018

Complaint

The customer feels that the water pressure at his property is too low. The company has investigated this issue and confirmed that the water pressure it provides to the customer has always been above the required regulatory standard. Nonetheless, it has increased the water pressure in the customer's area to further improve performance. The company has advised that the low pressure being experienced by the customer may be due to his own private internal water pipe work. The customer remains displeased with his water pressure and seeks that the company investigate his low water pressure issues experienced during weekends, provide everyone in his area with good constant water pressure and provide him with financial compensation.

Defence

It has investigated this issue and confirmed that it has always provided the customer with water pressure above the required regulatory standard. Nonetheless, it has made changes on its valves to further improve the water pressure in the customer's area. The company believes that the low water pressure at the customer's property must be due to private water pipes and it is not responsible for this. Consequently, the company does not accept that it is liable to provide the customer with the redress claimed.

Findings

I am not satisfied that the company failed to provide its services to the standard to be reasonably expected by the average person. I find that the evidence available shows that the company has always provided the customer with water pressure above the required regulatory standard. Furthermore, I am satisfied that the company has taken fair and reasonable action to address the customer's concerns. Therefore, the customer's claims for redress do not succeed.

Outcome

The company does not need to take any further action.

The customer must reply by 22 November 2018 to accept or reject this decision.

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ADJUDICATOR'S DECISION

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Date of Decision: 25 October 2018

Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- He feels that the water pressure at his property is too low.
- The customer has complained to the company believing that this issue is its fault.
- The company investigated this matter and confirmed that the water pressure it provides to the customer has always been above the required regulatory standard. Nevertheless, it opted to increase the water pressure in the customer's area to further to improve performance.
- The customer continued to experience low water pressure. The company therefore advised that the low pressure being experienced by the customer must be due to his own private internal water pipe work. Accordingly, the customer would need to investigate and resolve any private water pipe issues affecting his water pressure. The customer remains displeased.
- Therefore, the customer's claim is for the company to investigate his low pressure issues experienced during weekends, to provide everyone in his area with good constant water pressure and to provide him with financial compensation.

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The company's response is that:

- The company does not accept any liability to the customer.
- It explains that water companies are required to provide a regulatory minimum water pressure of 0.7 bars. In 2015, when the company was first asked to investigate this issue, it found that the customer was being provided with 2.5 bars of water pressure. After this was established, the customer did not complain further at that time.
- In 2018, the company arranged a visit to the customer's property following a further complaint about water pressure. On this occasion, the water pressure was recorded to be 2.2 bars.
- The company states that, even on weekends, it is providing the customer with 1.3 bars of water pressure (as recorded on the pressure logger data provided).
- Nonetheless, the company states that it opted to investigate further because of the drop in water pressure when compared to its 2015 readings.
- As a result, the company made some changes to its valves to increase water pressure in the customer's area to 2.2 bars (with the pressure not dropping below 1.5 bars, even on weekends).
- The company states that it is providing the customer with 2.2 bars of water pressure at his boundary stop tap; this exceeds the required standard for pressure (0.7 bars).
- Taking into account the age of the customer's property, the company states it is possible that the customer's private internal water pipes may have started to rust internally. This would significantly reduce water pressure. The customer would need to address this issue himself.
- The company states that it has shown with evidence from its pressure logger (as provided) that it provides around 2.2 bars of water pressure to the customer and there have been no complaints from any of his neighbours in the area. Accordingly, the low pressure issue must be due to his private water pipes and the company is not responsible for this.
- Consequently, the company does not accept that it is liable to provide the customer with the redress claimed.

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.

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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 customer feels that the water pressure at his property is too low. The company has investigated this issue and confirmed that the water pressure it provides to the customer has always been above the required regulatory standard. It has nonetheless taken action to further improve water pressure in the customer's area. The customer remains dissatisfied with his water pressure and seeks that the company investigate his low water pressure issues experienced during weekends, provide everyone in his area with good constant water pressure and provide him with financial compensation.
2. I remind the parties that adjudication is an evidence-based process and in order for any remedy to be awarded, the evidence must show that the company has not provided its services to the standard that would reasonably be expected of it.
3. To avoid any confusion, I must make it clear that I am unable to commission any new investigations into the customer's allegations of low water pressure at his property as part of the adjudication. This would be beyond the scope of this scheme. However, I am able to review the evidence and submissions provided by the respective parties and make determinations accordingly.
4. I note that, in accordance with the *Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008*, water companies are required to maintain a minimum water pressure in their communication pipe of seven metres static head (0.7 bars of pressure).
5. Following a review of all the evidence available to me at the time of adjudication (with particular attention paid to the company's investigation reports, customer account notes and photographs

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of the water pressure readings for the customer's area), I do not find that the company has ever provided the customer's area with a water pressure falling below the required minimum of 0.7 bars. Accordingly, I am not satisfied that the company has failed to provide its services to the standard to be reasonably expected by the average person with respect to its provision of water pressure to the customer's area.

6. I understand the customer's main concern is that the water pressure within his property is low. However, it may be helpful if I explain that the company (in accordance with the *Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008*) is only obliged to maintain a minimum water pressure of seven metres static head (0.7 bars of pressure) in its communication pipe (the company's main water pipe that feeds into its customers' private pipes). The company is not under any obligation to maintain all of its customers' private internal pipework to ensure their properties are receiving their desired water pressure level.
7. I now turn to a review of the company's actions in response to the customer's concerns. Based on the evidence provided, I am satisfied that the company (on each occasion) acknowledged the customer's concerns relating to low water pressure in his property and investigated the issue. The company has shown that, on each occasion the issue has been investigated, it was exceeding its obligations to provide a minimum water pressure of 0.7 bars to the customer's area (via its communication pipe).
8. Nonetheless, having discovered a drop in water pressure in its most recent investigation (when compared to its findings in 2015), I note that the company took action by making changes to its valves to further increase the water pressure in the customer's area. I also note the company has explained to the customer that it is correctly meeting its obligations regarding water pressure and has advised that the cause of the low pressure at the customer's property is likely due to his own private internal pipework (for which the company is not responsible). Taking into account all of the above, I am satisfied that the company's actions in response to the customer's concerns have been fair, reasonable and proportionate. Therefore, I am not satisfied that the company failed to provide its services to the standard to be reasonably expected by the average person with respect to its actions in response to the customer's concerns.

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9. Following careful review of all the submissions provided, I am not satisfied that any failures have been established on the part of the company to provide its services to the standard to be reasonably expected by the average person. Consequently, in the absence of any failures on the part of the company, the customer's claims do not succeed.

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 22 November 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 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.



E. Higashi LLB (Hons), PGDip (LPC), MCI Arb.

Adjudicator

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