

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0966

Date of Decision: 4 March 2019

#### Complaint

The customer submits that the complaint concerns high water bills. She is a single woman who works full time and lives in a one bedroom flat. She has asked the company on several occasions over nearly five years to attend the property to check that the meter is working correctly. The company has failed to conduct thorough checks for leaks. The customer requests that the company conduct a thorough investigation, including checking every pipe to make sure the outside of the property has no leaks. The customer also requests that the company review/adjust her bills.

#### Defence

The company submits that it has visited the property on a number of occasions in a bid to help the customer resolve this issue. It has also engaged with the customer's landlord to help her find a resolution. It has exhausted all investigations and has concluded that the high use is actual use. It has ruled out the meter being fitted to a shared supply, and no significant leaks of faults have been found. The original meter was removed for testing and found to be under recording. Internal issues are the responsibility of the customer's landlord to resolve. Its responsibilities end at the property boundary. The customer's water meter is inside the property and the only element that is its responsibility is the water meter. If there were any leaks on the external pipes it would have no effect on the customer's water meter, as the meter is inside the property. No offer of settlement was made.

#### Findings

It is not in dispute that higher than expected consumption for a one person household is being recorded at the property. The company is legally only responsible for the water main and the communication pipe from the water main to the boundary of a property. Property owners or occupiers are responsible for the supply pipe, which runs from the boundary of the property to the property and all the pipework, fixtures and fittings inside the property (with the exception of the meter apparatus, if it is inside the property). The evidence confirms that the meter is on a single supply; that no significant leaks of faults have been found; that the original meter was exchanged and found to have been under-recording; and that the customer's usage on the new meter remains consistent with readings taken prior to the exchange. No evidence has been submitted to show that there are any leaks on the company's side of pipework. In addition, as the meter is located internally any leak on the external supply pipe would not affect the customer's bills. The evidence shows that the

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company has taken all reasonable steps to investigate the complaint of high consumption bills. I acknowledge the difficulty of the situation for the customer and I can appreciate the customer's distress at receiving larger bills than expected. However, there is no evidence to show that the company is legally responsible for any high consumption being recorded at the property or has failed to provide its services to the standard to be expected.

**Outcome**

The company does not need to take any further action.

The customer must reply by 1 April 2019 to accept or reject this decision.

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# ADJUDICATOR'S DECISION

Adjudication Reference: WAT/ /0966

Date of Decision: 4 March 2019

## Party Details

Customer: [ ]

Company: [ ].

## Case Outline

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

- The complaint concerns high water bills. She is a single woman who works full time and lives in a one bedroom flat. On the phone the company state that she has high water bills for a single woman and she is paying the cost of usage for four to five people a day. However, in correspondence, the company state that she is under-paying. She is on a payment plan as the bills are so high.
- She has asked the company on several occasions over nearly five years to attend the property to check that the meter is working correctly. The company turns on her kitchen taps, check the meter is running and leaves. Each report received from the company states that it undertakes thorough checks. However, the checks conducted by the company are simple and fast, and the company has not undertaken many checks for leaks.
- Her meter readings moved up slightly when she was away for a few days so there must be a leak present somewhere.
- The company also sent her a letter stating that there is a leak outside the property that could affect her bills. When she contacted the company, it stated that this was not the case.
- The company changed the meter but the bills are still very high.
- She also feels let down by the Consumer Council for Water (CCW) as it did not ask her for any evidence or correspondence.
- She has submitted a few letters from her Housing Association (HA) which shows the checks that were done by the HA and the HA's position on the matter.

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- The customer requests that the company conduct a thorough investigation including checking every pipe to make sure the outside of the property has no leaks. The customer also requests that the company review/adjust her bills.

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

- It has visited the property on a number of occasions in a bid to help the customer resolve this issue. It has also engaged with the customer's HA to help her find a resolution. It has exhausted all investigations and has concluded that the high use is actual use.
- It has ruled out the meter being fitted to a shared supply, and no significant leaks or faults have been found.
- The original meter was removed for testing and found to be under recording. The customer's usage on the new meter remains consistent at 0.46/0.48 cubic metres. The customer's Average Daily Usage (ADU) between 27 November 2014 (the first read billed after the customer moved into the property in March 2014) and 6 September 2016, when the meter was exchanged, equates to an ADU of 0.46 cubic metres. With the new meter, from 6 September 2016 to the latest billed reading on 31 October 2018, the customer's ADU equates to 0.48 cubic metres.
- While the customer's consumption is higher than it would expect for one person, peoples' usage differs.
- If there are leaks then typically they would worsen over time and you would see the consumption increase, or if a meter is faulty it would slow down and stop. The customer's usage has remained fairly consistent since 2014, which supports its position that this is actual use.
- The customer's water meter is inside the property and the only element that is its responsibility is the water meter. Internal issues are the responsibility of the customer's landlord to resolve. It is only responsible up to the property boundary.
- In respect of the letter sent to the customer advising that a potential leak had been identified on an external pipe, it has explained that the letter was sent in error as it had already confirmed that there are no leaks. In addition, if there were any leaks on the external pipes it would have no effect on the customer's water meter, as the meter is inside the property.
- It has explained to the customer how a simple test can be completed to confirm if water is being used inside the property when she is away by taking a reading when she leaves the property and another when she returns. It has not received any information suggesting that these checks have been carried out. However, if usage did show while the customer was not at the property and no water was being used, it would suggest that there was a leak or issue with the private plumbing, which the HA would be responsible for to locate and fix.

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## 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. I must remind the parties that adjudication is an evidence-based process.
2. 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.

### ***Third parties***

3. I acknowledge the customer's submissions about CCW and her HA. However, for the purposes of this decision my remit is to determine the issues between the customer and the company. Any complaints against CCW or the HA cannot be considered.

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## ***High consumption***

4. It is not in dispute that higher than expected consumption for a one person household is being recorded at the property.
5. The company is legally only responsible for the water main and the communication pipe from the water main to the boundary of a property. Property owners or occupiers are responsible for the supply pipe, which runs from the boundary of the property to the property and all the pipework, fixtures and fittings inside the property (with the exception of the meter apparatus, if it is inside the property).
6. Once an issue has been identified on private pipework, any repairs are the responsibility of the customer.
7. If a water meter is inside a property, I accept the company's submissions that the apparatus is its asset and the only thing that it is responsible for.
8. The evidence submitted shows concerns were first raised about the high consumption in November 2014. Following internal checks undertaken by the customer in December 2014 and January 2015, as advised by the company, the company attended the property to investigate the matter on seven occasions between February 2015 and 7 March 2018.
9. The evidence confirms that the meter is on a single supply. The evidence also confirms that an issue with the toilet was repaired in February 2017 and a leak under the kitchen sink was found and repaired in March 2018. However, other than these no other faults have been found. The original meter was also exchanged in September 2016 and found to have been under-recording. Meter readings from 24 March 2014 to 22 March 2018 have been submitted in evidence and confirm the company's submissions that the customer's usage on the new meter remains consistent.
10. No evidence has been submitted to this adjudication to show that there are any leaks on the company's side of pipework. I acknowledge the letter dated 10 April 2018, submitted by the customer as evidence to show that the company sent her a letter stating that there is a leak outside the property which could affect her bills. However, the company's subsequent letter of 26 April 2018 confirms that the letter was sent in error. I therefore find that the company failed to

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provide its services to the standard to be reasonably expected in this regard. I accept the company's submissions, as explained in its letter, that as the meter is located internally any leak on the external supply pipe would not affect the customer's bills. I note that the company provided an apology for the information given in its 10 April 2018 letter. I find that this was appropriate. I therefore make no directions in this regard.

11. I note the customer's submissions that the company's investigations have not been thorough. However, no evidence has been submitted to this adjudication to support this. In addition, as discussed above, the company is only legally responsible for the water main and the communication pipe from the water main to the boundary of a property, and the meter apparatus if it is located within the property. Having carefully considered the matter, in the absence of any evidence submitted to this adjudication showing otherwise, I find that the company has shown that it has taken all reasonable steps to investigate the complaint of high consumption bills.
12. I acknowledge the difficulty of the situation for the customer and I can appreciate the customer's distress at receiving larger bills than expected. However, I find that there is no evidence to show that the company is legally responsible for any high consumption being recorded. The customer has not shown that the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person in this regard.
13. Consequently, the customer's claim does 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 1 April 2019 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.

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- 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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**U Obi LLB (Hons) MCI Arb  
Adjudicator**

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