

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1285

Date of Decision: 6 March 2019

Complaint

The customer's claim is the company should charge waste water services on accurate meter readings rather than a percentage of the total volume of water consumed at his property. The customer is seeking the company to install a suitable meter to measure his waste water and revise his bill based on actual supply and waste volumes rather than estimated volumes.

Defence

The company submits that whilst waste water meters do exist, due to their nature it would be inordinately expensive and impractical to install such meters on individual properties. Furthermore, the company raises its waste water charges for metered household with reference to the total volume of water consumed at the premises, which is in accordance with the provisions set out in the Water Industry Act 1991. In addition, the company has provided a good level of service at all times throughout its dialogue with the customer and therefore the company is not liable for any damages in this respect. The company has not made any further offers of settlement.

Findings

I am satisfied the company did not fail to provide its services to the customer to the standard to be reasonably expected, with regard to not fitting a waste water meter or charging a percentage of the volume of water consumed for households fitted with a meter. With regard to customer service, I am satisfied there have been no failings as the company has provided a good level of service at all times throughout its dialogue with the customer.

Outcome

The company needs to take no further action.

- The customer must reply by 3 April 2019 to accept or reject this decision.

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ADJUDICATOR'S DECISION

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Date of Decision: 6 March 2019

Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- The customer's claim is the company should charge waste water services on accurate meter readings rather than a percentage of the total volume of water consumed at his property.
- The customer is seeking for the company to install a suitable meter to measure his waste water and revise his bill based on actual supply and waste volumes rather than estimated volumes.

The company's response is that:

- The company acknowledges that whilst waste water meters do exist, due to their nature, it would be inordinately expensive and impractical to install such meters on individual households.
- Furthermore, the company raises its waste water charges for metered households with reference to the total volume of water consumed at the premises, which is in accordance with the provisions set out in the Water Industry Act 1991.
- To help resolve the issue the company has suggested the customer might be able to apply for Non-Return to Sewer (NRTS) allowance, which if agreed, will calculate waste water on a reduced percentage.
- The company has provided a good level of service at all times throughout its dialogue with the customer and therefore the company is not liable for any damages in this respect.

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 dispute centres on whether the company should charge waste water services on accurate meter readings rather than a percentage of the total volume of water consumed. The company is required to meet the standards set out in OFWAT's Charges Scheme Rules and 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 and the company's own Customer Guarantee Scheme.
3. From the evidence put forward by the customer and the company, I understand the waste water charge is comprised of four elements, these being 1) a waste water standing charge, 2) a surface water drainage charge, 3) a highway drainage charge and 4) a waste water volume charge. The waste water standing charge is an annual charge payable by every customer and is for the provision of the waste water services. The surface water charges is a fixed charge for the cost of collecting and disposing of rain water from private properties which drain into the company's assets. The evidence shows the customer receives a rebate for surface water charge and the customer has not been billed this part of the waste water charge since 1 April 2010. The highway drainage charge is a contribution from each customer towards the total cost of the removal and disposal of waste water from roads and footpaths that drain into the company's assets. As shown in the company's defence the highway charge for 2018/2019 is £12.60. The final charge is the waste water volume charge and from the customer's application

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is the charge the customer has an issue with. The waste water volume charge is an assessed charge determined for household premises by reference to 92.5% of the volume of water consumed as recorded by the household's water meter. It is assumed by the company that 7.5% of the water consumed by a household does not return to its assets with 5% not returning to the sewer and 2.5% being used for gardening and other purposes. The company states the aforementioned charges are raised in accordance with the Water Industry Act 1991 and after careful analysis of all the evidence I am satisfied the company is correct in this regard.

4. The customer states this charge of 92.5% does not accurately reflect the waste water returned to its assets and for the company to measure this accurately it should fit a waste water measurement device. The company states it is not feasible to fit a meter to private household due to; a specialist magnetic flow meter would need to be fitted to deal with the solid particles contained within waste water and is prohibitively expensive to implement; properties have multiple private drainage arrangements prior to connecting to the company's assets and each connection would need a meter; and it is not required by the Water Industry Act 1991 to measure the waste water by any other reference than as a percentage of the volume of water consumed. After careful analysis of the Water Industry Act 1991 and the various evidence put forward by the company, I am satisfied the company's position that it is not feasible to fit a waste water meter to the customer's or any other household property is correct. Whilst I appreciate the customer's stance with regard to the waste water charge, I am not able to comment on the fairness of the charge as this falls under the jurisdiction of OFWAT, I am only able to look at whether the company has acted in accordance with its obligations, which in this instance it has. In light of the above, I find there are no grounds to conclude the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person with regard to fitting a waste water meter or charging a percentage of the volume of water consumed for households fitted with a meter.
5. Within its defence the company has suggested that the customer might be able to apply for Non Return to Sewer (NRTS) allowance, which if agreed, will calculate waste water on a reduced percentage. I understand this would require either a separate supply at the customer's own cost or by installing a private sub meter on the part of the customer's private water supply that does not return to the company's assets. The evidence provided by these methods can be sent to the company who will evaluate whether a reduction in the percentage return to its assets is warranted. However, the NRTS does not affect the fact that the company is correct in not fitting a waste water meter or charging a percentage of the volume of water consumed for households fitted with a meter.

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6. The company has certain obligations in respect of its customer services. From the evidence provided I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind not being able to fit a waste water meter or charging a percentage of the volume of water consumed for households fitted with a meter.
7. In light of the above, I am satisfied the company did not fail to provide its services to the customer to the standard to be reasonably expected, with regard to not fitting a waste water meter or charging a percentage of the volume of water consumed for households fitted with a meter. With regard to customer service, I am satisfied there have been no failings as the company has provided a good level of service at all 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 3 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 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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