

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1417

Date of Decision: 26 June 2019

Complaint

The customer complains that, although the Council has applied a discount to his Council Tax bill following a reduction in the number of occupants of his property, when he requested a discount from his water bill, the company has refused to alter his bill for un-metered water, but instead has offered him the opportunity to have a water meter installed, which he does not want. The customer says that he made a request because he saw on the company's website that a discount might be available where the customer was the subject of an assessed charge.

Defence

The customer's property is not the subject of an assessed charge, but the customer is instead charged by reference to a calculation based on the Rateable Value of the property. The customer has been offered the opportunity to have a water meter fitted. Only if this is not possible would he become eligible for an assessed charge which might be affected by a change in occupancy. The company publishes a Charges Scheme in accordance with its legal obligations that explains the basis of charges. The company says that it has therefore provided its services to the standard that would reasonably be expected.

Findings

An average customer would reasonably expect that a company would charge its customers in accordance with its published Charges Scheme. There is no evidence that the company has not done so in the customer's case and the company has explained its charging arrangements in a letter to the customer and has also explained how the customer might be able to benefit from a lower charge by installing a water meter. I find that the company has supplied its services to the standard that would reasonably be expected of it.

Outcome

The company does not need to take any further action.

The customer must reply by 24 July 2019 to accept or reject this decision.

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Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- The customer complains that the company has refused to offer him a discount or rebate on his current water bill after he recently became a single occupier.
- He advises that he is on unmeasured charges and says that he wrote to the company with the understanding that he may be eligible for an appropriate discount or rebate, having read on the company's website that it is possible to claim a single person's discount through the assessed charge.
- The customer did not, however, want to switch to a water meter because he does not want to introduce any unnecessary impediment that could potentially become a hindrance to his selling his property later.
- The customer also supplied in evidence a copy of his council tax bill, confirming receipt of a 25% discount and seeks reduction of his water charges.

The company's response is that:

- The rateable value or measured charge is used by all water companies in England and Wales to determine water charges for properties that are not fitted with a water meter. There is no mechanism in place for the customer to appeal the rateable value and the government is yet to approve an alternative method.
- The company can only offer an alternative "assessed charge" if the customer opted to apply for a water meter yet the company is unable to fit one.

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- The company refers to its charges scheme confirming its position and details of how the customer can access this information from its website.
- Furthermore, the company also explained that it does not offer single occupier discounts like the council because the customer has the option to pay a lower bill by switching to a water meter.
- The company provided the customer with details of its tariffs and payment methods and further information in which the customer could discuss this situation further but would not reasonably be expected to offer a discount outside the terms of its published Charges Scheme.

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.

If the evidence provided by the parties does not prove both of these issues, the company will not be directed to do anything.

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 find that the documents submitted in this case show that the customer applied in March 2019 for a rebate or discount from his water bill on the basis of his new status as a single occupant. He has proved that his single occupancy status been recognised as grounds for a discount of his council tax by the local authority, but complains that the water company will not offer such a discount but requires the customer to apply for a water meter, which he prefers not to do.
2. The company explains that it wrote to the customer in response, setting out that it only offers the option of an assessed charge if the customer applies for a meter and the company is unable to

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fit this. It explained also its basis for charge, the use of Rateable Value and that the company has an annual Charges Scheme, made under the provisions of the Water Industry Act 1991. The company referred to the 2018/19 Charges Scheme and cited paragraph 6.A.9.g

When [] determines that it is not reasonably practicable to fit a meter or if it would involve unreasonable expense the consumer will be offered a charge for water supply on an assessed basis.

The customer was also referred to the company's website where a copy of its 2019/20 Charges Scheme could be viewed. The company additionally explained why its policy is different from that of the Council:

We don't give single occupier discounts like the local councils do, because you could pay a lower bill, that's based on the amount of water you use by switching to a meter. For example, single occupiers with a meter will typically pay between £179 and £276, for the 2019/20 year.

3. I find that an average customer would reasonably expect a company to comply with the terms and explanations that are given to the public generally in accordance with the company's published Charges Scheme. Although the customer says that he saw a reference on the company's website to the possibility of a lower charge for water if he were to be on an assessed charge, his property is not the subject of an assessed charge and, because he does not wish to have a water meter installed, he is not eligible for an assessed charge and therefore not eligible for the discount that might have been available following a reduction of the number of occupants at his property. The customer has put forward no evidence that the company has promised to give a discount for single occupancy in any other circumstances, and I am satisfied that the Charges Scheme states that (save where a customer has applied for a water meter), the charges for water are calculated by reference to the Rateable Value of the property.

4. The company has submitted that the Rateable Value is a historic value that is unrelated to the charge for Council Tax and I am mindful that this is the case. The company has also explained that all water companies in England and Wales use the Rateable Value as a means to assess the charge for un-metered water. The customer has not submitted any evidence that this is not so and therefore I accept that the submission of the company is correct as to this. It therefore follows that in using this Value as the basis of calculating the charges for water, the company is acting within a normal range of service level to be expected of water companies. Moreover, as indicated above, the company explained its position clearly to the customer, as indicated above,

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so that the customer was aware both of the reason for refusal of the discount and how he could, if he chooses, reduce his water bill.

5. Taking the above factors into account, I am satisfied that the company has supplied its services, including in relation to its billing of the customer and in answering his request for a discount, to the standard that would reasonably be expected by the average customer. It follows that I find that the customer is not able to succeed in relation to the redress that he seeks.

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 24 July 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.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



Claire Andrews, Barrister, FCI Arb

Adjudicator

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