



Department
for Environment
Food & Rural Affairs

T:
helpline@defra.gsi.gov.uk
www.defra.gov.uk

Your ref: Southern Water -
Compulsory fitting of Water Meters /
Freedom of Information Act
Our ref: RFI 5563
Date: 10 July 2013

Dear,

REQUEST FOR INFORMATION: Compulsory Fitting of Water Meters by Southern Water

Thank you for your request for information about Southern Water's Universal Metering Programme, which we received on 13 June 2013. We have handled your request under Environmental Information Regulations 2004 (EIRs).

The EIRs apply to requests for environmental information, which is a broad category of information defined in regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

I enclose a copy of the information you requested:

- **Annex A: Southern Water's Universal Metering Programme**

In keeping with the spirit and effect of the EIRS, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex B, which explains the copyright that applies to the information being released to you.

I also attach Annex C giving contact details should you be unhappy with the service you have received.



If you have any queries about this letter, please contact me.

Yours

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Annex A

Southern Water's Universal Metering Programme

For the purposes of clarity and to ensure that you have all of the information that you have asked for, I have answered your questions individually in turn. Where there is overlap between questions, you will see that the answer may refer to and answer that has previously been given.

You asked us six questions (Q1-Q6) and also included a further nine questions (Q7-Q15) which you have also recently asked of Southern Water. I have answered all fifteen questions using information held by the Department.

Q1. Has Southern Water sought permission from your department to have a blanket permission to fit water meters across this region?

A1. Southern Water was designated as being in an area of serious water stress by the Secretary of State for the Environment Food and rural Affairs in 2007 and so was required to consider the case for universal water metering as part of its statutory water resources management plan. Following public consultation on its plan in 2008, compulsory metering formed a part of the company's programme of measures to balance demand and supply in its final plan. It does not need to seek permission from the Department to do so. Southern Water has published their Water Resources Management Plan 2010-2035, which can be found here: http://www.southernwater.co.uk/pdf/about-us/publications/wrmp/FWRMP_Main20Rept20combined_Sep200920Final.pdf.

As one of the tools to manage demand, water companies in areas designated as seriously water stressed are able to include programmes of universal metering in their Water Resources Management Plans. All companies in an area of serious water stress must consider whether metering is the most cost/beneficial solution to addressing the demand management challenge within that area. However, the decision about which options to balance demand and supply are most appropriate, including demand management options such as metering, is one for the company. This decision is made following consultation with customers. The status of serious water stress is based on the long term availability of water resources for abstraction so that supplies will be secure and the environment protected, whatever the weather. A large proportion of the reliable river flows and groundwater are already used for supplies in the South of England which leads to the status. Water companies must plan for the risk of more droughts such as we have had in recent years.

Q2. If so, under the freedom of information act can you please forward me all the relevant documents appertaining to granting their application?

A2. Southern Water's Water Resources Management Plan 2010-2035 contains their plans for universal metering: http://www.southernwater.co.uk/pdf/about-us/publications/wrmp/FWRMP_Main20Rept20combined_Sep200920Final.pdf. Their statement of response to the consultation on this is also available from their website: <http://www.southernwater.co.uk/pdf/about-us/publications/wrmp/Draft-WRMP.pdf>.

Q3. Can you please identify the act that would have accompanied this permission?

A3. Section 144B (1) of the Water Industry Act 1991 provides that where water is supplied to a home and the supply has not previously been metered, and "prescribed conditions" are satisfied, then subsection (2) applies. Subsection (2) requires water meters to only be installed with consent, on request from the home owner or a change of occupancy. The prescribed conditions include that the area is not an area of serious water stress and subject to a universal metering programme as specified in the companies' water resources management plan. Since Southern Water is in an area of serious water stress and a universal metering programme has been initiated by this company, the prescribed conditions are not satisfied and subsection (2) does not apply.

Q4. What guarantees has SW given in their presentation that leaks from their pipe work will be given a priority

A4. Southern Water's Water Resource Management Plan 2010-2035 (http://www.southernwater.co.uk/pdf/about-us/publications/wrmp/FWRMP_Main20Rept20combined_Sep200920Final.pdf) details Southern Water's plans for leakage in their water company area.

Q5. How are they going to address leaks between the meter and the property – will they just let the charge accumulate?

A5. Property owners are currently generally responsible for the maintenance and upkeep of water supply pipes between the outside property boundary and the building, with water supply companies responsible for the rest. We understand from Southern Water that, for domestic properties, they offer up to one hour's free detection work to help locate the leak on a private supply pipe and will carry out three free repairs in each occupancy of the property. For further details of this I advise contacting Southern Water.

A public consultation ran from 23 May until 4 July seeking views and evidence to further enhance our impact assessment on the policy options regarding future management of water supply pipes. Our preferred option is to create a power which will allow future regulations to be made to transfer ownership of the portion of water supply pipes that are currently privately owned, to the water supply companies. We believe that the transfer of responsibility could help reduce leakages and ensure that our water supplies remain resilient and sustainable for the future. Up to a quarter of total water leakage is estimated to be lost through supply pipes that are not sufficiently maintained and repaired.

Q6. If it is an elderly resident has had a leak for several months, how will they explain this and how will this be dealt with

A6. Leaks should be reported to Southern Water as soon as possible, who will act on this as described in A5.

Q7. Water leaks at or around the meter – how is this to be resolved in whose favour?

A7. Property owners are currently generally responsible for the maintenance and upkeep of water supply pipes between the outside property boundary and the building, with water supply companies responsible for the rest. This is irrespective of the location of the meter. Responsibility for the leak will depend on the location of the leak. Leaks should be reported to Southern Water as soon as possible, who will act on this as described in A5.

Q8. Who monitors the Water Company and their leaks – need to have figures identifying the lost water maybe into £millions both in water loss and cost

A8. Leakage has fallen by nearly 40% since the mid 90s. Water companies currently set annual leakage targets. These are monitored by Ofwat and action is taken if they are not met. For example, following Southern Water's breach of its leakage targets in 2009-10 and 2010-11, Ofwat secured a legally binding commitment from the company to achieve its leakage reduction targets for the next four years. When Ofwat next set price limits, the company will also return £5 million to its customers. This will be at its shareholders' expense.

Q9. What happens when there is a leak between meter and building, at what stage will this be recognised - when the bill comes in for thousands?

A9. Leaks should be reported to Southern Water as soon as possible, who will act on this as described in A5.

Q10. Is there an “Act of Parliament” that says it is mandatory for residents to have a meter installed?

A10. Please see previous answers A3 and A1 for this.

Q11. If it is not mandatory, why then, when I challenged them that they said if I did not have a meter then they would have to pay at 5 bed House rate?

A11. Where it is possible for a meter to be installed, under Southern Water's universal metering programme it is mandatory for a meter to be installed. Southern Water will apply a 'no access' charge on customers who refuse to have a meter fitted. This charge was approved by Ofwat. This charge is set at a level which is already within the scope and

scale of the charges scheme for occupiers of large properties. The no access charge was set at the same level as a high 'assessed charge' property in order to provide the incentive for people to get in touch with their water company to agree the meter fitting. Ofwat also agreed with Southern Water that if permission was then given for the meter to be installed, the high charge and its historical application would be removed.

Q12. Where is the legislation that says if no to a meter then the tariff is a 5 bed house?

A12. This is not in legislation; this is part of Southern Water's charging scheme which is agreed by Ofwat on an annual basis.

Q13. Poor plumbing can have dry joints which may well pass a final inspection, but will blow slowly and increase in time, or gush without warning

A13. As this is a statement, I presume that you are not seeking comment on this.

Q14. Currently there have been two scenarios one leak to an elderly person of several thousands and one that was at the wrong side of the metre

A14. Leaks should be reported to Southern Water as soon as possible, who will act on this as described in A5.

Q15. Worrying that a meter records a leak when the water has not gone through the meter – is this possible?

A15. Only water which flows through the meter is recorded. If a leak is before the meter, the leaked water cannot go through the meter and therefore will not be recorded or charged to the customer.

Annex B

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex C

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF