

Professor John Swaffield
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29 October 2003

Dear Professor Swaffield

Thank you for your letter of 30 June enclosing a copy of WRAC's report and the water industry's Best Practice Manual for enforcement of the Regulations.

I am very grateful for all that WRAC has achieved since it was first established in 1996. This has been a significant time in the development of water fittings policy, perhaps most significantly with the creation of national regulations to replace local byelaws in protecting drinking water supplies from contamination and waste. More recently, the work WRAC undertook to review the enforcement of the Regulations by the water industry was a first, which led to this most recent phase of work. This has been an extremely useful exercise, for the water industry in its enforcement capacity as well as for this Department.

It is pleasing to note that co-operative working between water companies and with WRAS has greatly assisted you in this work. Looking ahead, I strongly support the continued central role of WRAS in the implementation and enforcement of the Regulations. It is important that the water industry continues to work together on these activities, to which end the Best Practice Manual should be a very useful tool. Water companies will want to make full use of the Manual, as a basis for assessing and improving performance as well as facilitating greater consistency in enforcement between companies. I am pleased that the industry has undertaken to keep the Manual under review. While I recognise that some variance in priorities and enforcement activities can be expected, the industry should be working to develop a robust and consistent approach to managing the common risks posed by contraventions of the Regulations. I agree that the industry needs to give further thought to an appropriate frequency for inspecting high risk premises.

Good progress has been made in converging the requirements of the eight Approved Contractor schemes. I would now like to see the different schemes take this a step further to finalise and apply common minimum criteria. My Department will be convening a group to facilitate this. Further consideration also needs to be given to links with other relevant initiatives and the approval of specialist installers. We will be considering how the benefits to plumbers and consumers might be improved, either on a voluntary basis or via a future review of the Regulations. The group will be asked to report back to me by December 2004.

Your initial review of enforcement revealed that the notification requirement warranted review. We must ensure that there is the right balance between appropriate regulatory authority and not placing an unreasonable burden on those

who install water fittings, or on the water industry in its enforcement capacity. I intend to review the Regulations as a whole, in due course, including the notification requirement.

We want the Regulations to support improved water efficiency and not restrict innovation. I have asked my officials to explore with WRAS the most suitable way to further examine this.

I share your concerns about products that do not comply with the Regulations. I believe that much could be done to improve the certification and promotion of compliant products on a voluntary basis. The onus must be on manufacturers to ensure that their products meet legal requirements. It should also be in the interests of reputable manufacturers to ensure that suitable transparent measures, such as those identified by WRAC, are in place to verify test results and communicate product compliance to purchasers and installers of water fittings, as well as the water industry in its enforcement role. To this end, I strongly support the principle of a labelling scheme to enable the simple identification of both compliant and water efficient products at the point of sale. I have asked my officials to consider the feasibility of introducing such a scheme.

I have decided not to re-appoint a further WRAC at this time, but this should not detract from my gratitude for the work undertaken by successive committees. The Best Practice Manual needs time to bed in and this Department and others need to give further consideration to the issues raised in your report. I am most grateful to the members of WRAC and to you for your excellent Chairmanship.

ELLIOT MORLEY