

**Water Regulations Advisory Committee**  
**Notification Forum**  
**15<sup>th</sup> January 2003**  
**Room 7abc, 2<sup>nd</sup> Floor, Ashdown House**

**Those Present:**

Professor Swaffield (Chair)	WRAC
Richard Clayton	WRAC
Geoff Marsh	WRAC
Terry Stephenson	WRAC
Andrew Hutchinson	WRAC
David Gibson	WRAC
Gareth Jones	Wessex Water/WRAS Technical Committee Chairman
Mark Killy	Thames Water
Ken Lacey	United Utilities
Richard Unwin	Anglian Water
Ken Maddison	Northumbrian Water
Liz Swarbrick	South Staffordshire Water
Mike Webb	Three Valleys Water
Mick Gregory	South East Water
Paul Hamley	South West Water
Paul Millard	Cambridge Water
Alison Murphy	Sutton & East Surrey Water
Andy Watts	Institute of Plumbing (IoP)
Robert Burgon	Scottish & Northern Ireland Plumbing Employers Federation (SNIPEF)
David Howarth	Environment Agency
Mike Waite	Drinking Water Inspectorate (DWI)
David Gibson	Association of Building Engineers (ABE)
Ian Pallett	British Water
Peter Armstrong	British Automatic Sprinkler Association
Steve Grace	Arrow Valves
Andrew Sherlock	British Soft Drinks Association
Keith Davies	Coca-Cola Enterprises
John Lally	National Caravan Council
Ian Frazer	NHS Estates
Ray Farrow	House Builders Federation

**Secretariat**

Peter Jiggins	Rob Mynard	Nicola Clarke	Grant Gahagan
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**Apologies**

Karen Gilbert	National Farmers Union (NFU)
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**1. Welcome and Introductions**

- a. Professor Swaffield welcomed everyone to the forum and introduced them to the topic with background from the WRAC enforcement report. The group were given a summary of recommendation 5 from the report concerning the notification requirement. The five sessions to follow were outlined, and attendees were encouraged to come forward with their views.

**2. Session 1: The Notification Requirement**

- a. Richard Clayton chaired the session, and opened with a slideshow detailing the background to the requirement.

- b. Gareth Jones (WRAS) outlined the water industry's views on the subject. He identified notification as a problem with the old Byelaws, as well as the current Regulations. WRAS had carried out a survey of water companies on the notification requirement, to which 9 water only companies and 7 water and sewerage companies had responded.
- c. Attendees expressed the following views:
  - o How important are water conservation issues? It was felt that these issues were of high importance when WRAC was established in the mid-nineties, recent drought being a strong factor. This is still an important issue despite there having been no drought for 7 years. Water conservation is about the long term management of water resources to avoid future shortages.
  - o There was a discussion on the merits of metering premises, in response to a notification, for water conservation purposes. Some felt this was of little or marginal benefit, making the requirement over the top. It was suggested that metering had more to do with companies obtaining revenue for large water users. Some owners would be put off notifying by the risk of being put on a metered supply. It was asked whether greater public awareness had removed the need for the requirement related to water conservation.
  - o Notifications were received mainly for new developments, with very few relating to excessive water use. There is no way to know how many people should be notifying in the first place, so no measure of success with extensions and alterations. Education was felt to be a key aspect, but one company reported that 300 seminars with more than 4000 attendees had generated no response from its notification leaflets.
  - o Would there be a need for notification if there was effective 'point of sale control'?
  - o Contamination is the key issue for water companies, with industrial premises posing the greatest risk from fluid category 4/5 contraventions. This is where resources should go, rather than on paperwork.
  - o Only good plumbers notify, whereas poor plumbers do not bother. Customers are disinclined to notify as it delays installation and they think it will lead to metering.
  - o Old housing stock is more in need of metering to promote conservation than new stock. The **HBF** felt there was more room for tangible/joined-up information for house builders on water conservation, perhaps in the form of a good practice guide.
  - o There is a need for better enforcement of the requirement. Notification is no good without policing.
  - o The **water industry** wanted to retain the notification requirement, but not in its present form. Companies wanted to target resources on high risk premises.
- d. In **conclusion**, it was felt that the notification requirement should remain, but the installations requiring notification needed to be looked at carefully. The requirement should be kept simple and work effectively by providing a better focus on the key aspects.

### 3. Session 2: Resource Implications

- a. Andrew Hutchinson chaired the session. Gareth Jones outlined the water industry's views of the benefits of the notification system:
  - o SOS regulations, not individual water companies.
  - o Water industry has duty to promote and enforce.
  - o Useful in assessing risk and hence deployment of resources
  - o Should assist in reducing contamination risk.
  - o Mixed views on contribution to water conservation.
  - o Helps ensure adequate protection for supply pipes.
  - o Provides better platform for record keeping/read across to billing records.
  - o Needs more resource to be administered correctly. One third of the companies surveyed had employed additional staff to this end. It was estimated that each

company would need to employ seven extra staff - a 200% increase in enforcement staff - if the requirement was to be rigorously enforced.

- o The group were asked to give their views on:
  - i. Is the intention to fully enforce the notification requirement?
  - ii. Is there a more practical way to enforce?
  - iii. Is a change to the Regulations/more common sense approach needed?
  
- b. Attendees expressed the following views:
  - o Only a small percentage of notifications are related to high risk situations. The aim should be to ensure these are received, rather than having the same emphasis on the vast majority of low risk notifications.
  - o There is much higher regulation of the gas industry than the water industry but this is justified by the increased risk associated with the safety issues of gas installations. It was considered that many plumbers did not comply with notification requirements because they do not feel it is necessary or enforced.
  - o The additional paperwork necessary was a significant disincentive to notify. Notifying all changes to pipework presents an unacceptable burden to businesses.
  - o It was suggested that the provisions to notify could be simplified so that an email, fax, or telephone call could constitute a notice.
  - o The main reason for many 'notification' contacts is the need for a new connection.
  - o A lot of information on extensions and changes of use is already with local authorities. Are water companies the right group to be administering the process? Should water companies be statutory consultees under the planning process? It would require more resources, but would enable greater proactivity. Reference was made to the CIC review of regulations affecting buildings.
  - o Charging for Regulations inspections was raised. Water companies are under a statutory duty to enforce the Regulations, although at least one already charges for excessive re-inspections.
  - o Need to identify real issues first, then enforce in the most cost-effective manner.
  
- c. In **conclusion** it was felt that there was no point in putting more resources into administering a requirement that would not produce greater protection of water supplies. Need to identify the real issues first and focus the Regulations – and hence water companies' enforcement activities – on those areas. In particular, is the requirement as it stands drawing attention away from other more useful enforcement activity?

#### 4. Session 3: Approved Contractors

- a. Terry Stephenson chaired the session and gave the forum an introduction to the main issues. Robert Burgon then gave a presentation on Approved Contractor issues:
  - o Different Government schemes for competent tradesmen.
  - o How many customers know Approved Contractors exist?
  - o No incentive in notification requirement/decades of ignoring notification.
  - o Approved Contractors should be able to help with enforcement, but certificates are required for every job.
  - o Plumbers question the value of notifying water companies.  
What is needed?
    - o Greater linkage with Building Control. Sad if Water Regulations are the poor relation of Building Regulations. Ultimate aim should be to bring in line.
    - o Improved incentives. In Scotland aiming to move to a model whereby using an Approved Contractor qualifies you for a significant reduction in the building warrant.
    - o More education from Government, local authorities, housing associations, etc.
  
- b. Attendees expressed the following views:
  - o Some water companies expressed support for Approved Contractors to be individuals, not companies. The onus for notification should be on the individual working on-site, not a paperwork exercise for someone in an office.

- o Approved Contractors offered a number of advantages for all parties. Water companies should get notification benefits; more clients were specifying Approved Contractors; fast-track connections and reduced fees; homeowner has a document confirming compliance.
  - o Regulation 6 may be a disincentive, requiring Approved Contractor to issue certificates and so deal with greater paperwork than non-Approved Contractors. The view was also expressed that Approved Contractors would have no problem filling in certificates, which are less onerous than filling out a notification form.
  - o It was suggested that Approved Contractors should be exempt from notifying fluid category 3 items and below, as well as for new builds and conservation aspects.
  - o Trade associations strongly supported WRAS' work to progress sector approval schemes for installers of certain equipment, although there were problems with some water companies not accepting this approach.
- c. In **conclusion** it was evident that the Regulations did not provide sufficient incentives to become an Approved Contractor. These schemes should enable enforcers to focus on non-Approved Contractors. The installer should ultimately be responsible for giving or ensuring the notification has been given. Sector approval schemes needed further consideration. It was also noted that the situation was now far better than under the Byelaws, not least as a considerable amount of training in the Regulations has taken place.

#### 5. Session 4: Current Situation

- a. Andrew Hutchinson chaired the session. Peter Jiggins gave the forum a presentation on the data returns from a survey of water companies recently carried out by Defra, and invited feedback from the group.
- b. Attendees expressed the following views:
- o In clarification of the data returns, it was noted that some water companies tended to use applications for supply as notifications, and as this work was mainly carried out by Approved Contractors reducing the need for follow-up inspections. Where several different contractors were working in different parts of the same premise, this could result in more notifications than new premises.
  - o It was noted that there was very low notification for work on existing premises. It might be reasonable to assume that about 10% of the 55 million existing premises have plumbing work carried out on them each year.
  - o There is no real incentive to notify and currently no enforcement of those not doing so.
  - o Lack of notifications may in part be due to the message not being communicated effectively to the plumbers and the general public. A possibility would be to send out a leaflet with the water bill once every year, explaining the requirements of the Regulations and the reasons behind them. Others agreed with the importance of education, but disagreed that bill inserts were an effective way to do this.
  - o Concerning infringements, there is only so much that a water company can reasonably see from a drawing of the designs. Notification itself without inspection is not a good method of enforcement.
- c. In **conclusion** it was felt that notification works well where there is a sanction, as is the case with new connections, but otherwise not. Professor Swaffield thanked those companies that responded to the survey.

#### 6. Session 5: Review of the Requirement

- a. Richard Clayton chaired the session. Gareth Jones presented the views of the water industry on options to improve the requirement. The desire was to have a review of the current procedures and consider a more pragmatic approach. The current notification procedure is currently too general and it should in future focus more on high-risk

installations. There is room for more discretionary requirements, for example so as not to require notification for low backflow risks. Sector approval and work carried out by contractors approved to work in a particular area of work needs to be investigated. The industry would also like to see mandatory notification for fire sprinklers and recycled water installations.

- b. Attendees expressed the following views:
- o Notification should address those issues which pertain to increased contamination risk. Discretionary requirements to notify would be useful, as would notification for new buildings on contaminated land, recycled water systems, pumps on or connected to supply pipes and sprinkler systems.
  - o There should be greater information sharing with Building Control and Planning Departments. It was felt that a good deal of useful information is already collected.
  - o The importance of a stable and well educated plumbing community was stressed. Regulation and education would force plumbers towards higher standards.
  - o The **Environment Agency** suggested that if the conservation requirements were dropped there would need to be an alternative. Not receiving sufficient information is a weak reason to drop the requirement.
  - o Water companies are under a legal duty to promote the efficient use of water, so these issues are covered apart from the Regulations. Companies already advised on conservation issues when they carried out inspections, which it was felt saved more water than the notification requirements. It was suggested that metering is not an issue for large users, and the ability to pay for water becomes irrelevant during a drought.
  - o It was suggested that improved point of sale control on water fittings would solve the problem of non-compliant water fittings being installed.
  - o It was noted that companies' enforcement activities are all based on risk assessments, but the notification requirement as it stands gives no discretion to risk.
  - o There was the suggestion of introducing a category of premises in line with fluid categories.
  - o Approved Contractor schemes should be standardised and widely promoted/supported. There could be benefits in it becoming necessary to be an Approved Contractor to undertake high risk work, but it was felt this would only work if schemes became mandatory. Government funding for training via Individual Learning Accounts was suspended, but a revised scheme is expected.
- c. In **conclusion** it was felt that a number of additions to the notifiable list would be beneficial – fire sprinklers, recycled water and contaminated land. There needed to be improved working with other authorities. There were doubts that there was sufficient merit in the water conservation aspects, but recognised that there would be presentational issues if these requirements were to be reduced.

## 7. Conclusions

- a. Professor Swaffield summed up what progress has been made, and reiterating the pertinent issues he had gained from the discussion. The forum had been very productive, generating a lot of useful views that might not have emerged from WRAC meetings.
- i. Inter-agency access to information should become easier with improved IT. Might need to consider with other Government Departments how this could be facilitated.
  - ii. Confirmation that notification is only working because only a small percentage of the required notifications are received.
  - iii. There is the need to strip away the less useful parts of the requirement and focus on the essentials, possibly including some new areas such as fire sprinklers (which is cause of some concern to the water industry).
  - iv. Water conservation remains an essential issue on a regional basis, but doubts as to whether this is an effective means of furthering it.

v. Defra need to consider whether the Regulations should be amended to accommodate these points.

b. Everyone was thanked for their attendance.

**WRAC Secretariat**  
**March 2003**