

Water Regulations Advisory Committee
28th May 2002
Conference Room Eastbury House

Those Present:

Members

Professor Swaffield
David Hodges
Andrew Hutchinson

John Roy
Mike Rymill
Terry Stephenson

Geoff Marsh
Linda Dulieu
Roger Emmet

Observers

Mike Waite	Drinking Water Inspectorate
Steve Tuckwell	Water Regulations Advisory Scheme (WRAS)
Mike Johnson	ODPM/Building Regulations Division
Richard Gill	DTI/Construction Directorate
David Howarth	Environment Agency

Secretariat

Peter Jiggins	Rob Mynard	Martin Macdonald	Nicola Clarke
Grant Gahagan			

Item 1 - Introduction and apologies

1. Professor Swaffield opened the meeting and introductions were exchanged to welcome several new attendees; Mike Waite, David Howarth, Peter Jiggins, Grant Gahagan and Nicola Clarke. Apologies were received from Bernard Bateman, Richard Clayton, David Gibson, Phil Bishop and Gareth Jones.

Item 5 – [Code of Practice for Scientific Advisory Committees](#)

2. The Secretariat briefed the Committee on the paper, highlighting items that WRAC would need to consider, including the need for greater transparency, the membership template and developing a register of stakeholders to enable regular feedback. The Committee agreed on the importance of openness and publishing minutes for interested parties.
3. There was a discussion about the development of a list of stakeholders. It was noted that the previous stakeholder list for WRAC's report had been relatively unsuccessful in terms of organisations returning requested information, although it was suggested that there might be more interest in WRAC's forthcoming work programme. The Secretariat agreed to write to these organisations to ask if they wished to continue to be on WRAC's stakeholder list. Voluntary organisations such as the National Water Conservation Group could also be approached to gauge interest and similarly, other organisations, including construction clients and consumer groups. A dedicated WRAC web page would also be a good place for potential stakeholders to register their interest in being included for consultation.

Action: Secretariat

4. It was noted that new issues and research topics (as set out in the Code of Practice) had been put forward by the Committee previously, and it was suggested that the Technical Working Group should consider this again as part of its remit. The Secretariat explained that WRAC's previous bid for research funding into how water fittings were regulated in other countries was not successful. The possibility of securing funding from sources such as the EPSRC or the DTI's Movement for Innovation was discussed.

5. Administrative issues such as publishing agendas and working papers on the internet and agreeing minutes prior to meetings for similar publications were discussed and approved. Members were asked to inform the Secretariat of any changes to the membership template by 7th June.

Action: Members

6. The need for publicity for significant developments, such as WRAC's enforcement report was considered. The Committee felt that Departmental Press Releases would be especially useful to gain the interest of the trade press. The Committee asked for a press release to promote the publication of the WRAC report, the extension of WRAC's remit and the invitation for stakeholders to come forward. The Secretariat agreed to follow this up.

Action: Secretariat

Item 2 – Feedback and discussion on WRAC's enforcement report

7. Comments were invited from around the table. The Committee acknowledged that many people were not yet aware that the report had been published. It was generally reported that there had been some favourable feedback from water companies, who, it was felt, might place greater value on the initial company assessments than the overall report. It was noted that there had been a rise in the level of activity on Water Fittings Regulations work by water company inspectors.
8. There was a discussion about Approved Contractor schemes. Table 6 in the WRAC report showed a good degree of commonality between schemes, although it was noted that there were greater differences in items excluded from the table, such as the benefits. The Committee agreed that there was a need to provide measurable benefits for becoming an approved plumber and to create demand for these schemes.
9. Members noted that the water industry had only had 3 weeks to consider the report. While it was too soon to make a detailed response, Steve Tuckwell offered the industry's broad support and willingness to fully co-operate with WRAC's ongoing work. While he saw merit in some recommendations he felt that others might not receive such a favourable response. He also noted that the data collected for the report occurred at an early stage in the enforcement of the Regulations (2 years ago now) and that things had improved since. The industry would make its formal response after the WRAS Management Committee meeting on 23rd July.
10. It was suggested that the Committee might have over-estimated the potential role of WRAS, which remains a voluntary organisation. However, the Committee reiterated its view that the Regulations needed to be enforced and it would be in water companies' interest to work in co-operation with WRAS.
11. With regards to point of sale control, the Secretariat explained that it would be reviewing the options available to improve the current situation. There was a need for evidence to support any proposals for changes to the Regulations and for proportionality. There followed a discussion about the control of water fittings in Europe and how this would change with the introduction of the European Acceptance Scheme and CE marking. The use of the Sale of Goods Act to manage problems was also considered. Steve Tuckwell reported that he had held productive discussions with some of the larger DIY outlets, with a view to introducing a voluntary scheme to reduce the availability of unapproved fittings. The Committee expressed its strong views about the issue of point of sale control and that its absence strikes at the credibility of the Regulations.

Item 3 – Taking forward WRAC’s recommendations (Paper WRAC 2002(01) see Annex 1)

12. The Secretariat briefed the Committee on the approach set out in the paper. The Committee agreed with the proposed working group structure and the timetable, which would necessitate the full support of the Secretariat. It was agreed that it would be useful to hold the first round of Working Group meetings before 23 July (WRAS Management Committee meeting).

Plumbing Working Group (PWG)

13. In consideration of Approved Contractor schemes, it was noted that this work would primarily relate to England and Wales, although it was important to consider developments in Scotland and Northern Ireland. Some contractors operated across the UK and there should not be an artificial barrier. Furthermore, the SNIPEF scheme was approved by Defra. The possibility of a desk-top exercise to establish current practice in other EU countries was considered by the Committee in addition to the co-opting of additional members. It was agreed that there would be an early meeting to involve all organisations running Approved Contractor schemes.

Enforcement Working Group (EWG)

14. It was agreed that recommendation 9 should be included in the remit of the PWG as well as the EWG to offer WRAS the greatest support in taking forward the recommendations. There was some concern that although WRAC’s report acknowledged that companies were different, it also seemed to advocate ‘one size fits all’ guidance. However, it was explained that the intention was for companies to be able to select the most applicable guidance to suit their circumstances. It was considered that the guidance should be non-prescriptive and performance based, setting out what to achieve but not dictating the way that it should be done. It was envisaged that the guidance would include good practice examples from which the companies could select.

Technical Working Group (TWG)

15. The tasks that the TWG would undertake were discussed, including the need to examine the Regulator’s Specifications and ways in which the Regulations could be amended. It was suggested that the Group should consider whether it was guidance that needed updating, rather than the Regulations, and also the implications of increased European harmonisation. The Committee agreed that it was sensible to include the examination of recommendation 8 (Point of Sale control) with this work.
16. It was acknowledged that detailed issues would need to be examined, including the need to modify the dye test and retrofitting of dual flush devices, on which views were being sought by WRAS. There was general agreement of the need for a clear set of guidelines to demonstrate how to change the Regulations and Specifications. It was reiterated that Regulator’s Specifications should assist manufacturers in bringing new products onto the market to improve sustainability.
17. The need for standardisation of the methodologies used to test products was discussed. Members were reminded that the National Water Conservation Group (NWCG) were considering product labels under the Market Transformation Programme and were aware of the industry’s interest in labelling WCs. It was suggested that Trading Standards could play a role by enforcing the CE Mark, which could be on WCs within the next 6 months. It was thought that it might be useful to have a Trading Standards representative on the TWG to assist

consideration of these issues. It was agreed to invite two members of the NWCG to join the working group – Ed Smith (Anglian Water) and Kevin English (Caroma UK).

Action: Secretariat

18. Members were asked to nominate themselves for Working Groups and dates were arranged for initial meetings as follows:

Enforcement Working Group: John Roy (Chair), John Swaffield, Richard Clayton, Terry Stephenson. First meeting at 10am on 24th June.

Plumbing Working Group: Geoff Marsh (Chair), John Roy, Terry Stephenson, Linda Dulieu. First meeting at 2pm on 24th June. A second meeting to involve main stakeholder groups was also arranged for 10am on 9th July.

Technical Working Group: John Swaffield (Chair), Mike Rymill, David Hodges, Roger Emmet, Andrew Hutchinson. Also co-optees Ed Smith and Kevin English from the NWCG. First meeting at 10.30am on 2nd July.

It was agreed that it was important to have a representative of WRAS and/or the water industry on each Working Group. Observers were invited to attend any of the Working Group meetings. Members of the Committee not able to be present at this meeting were asked to inform the Secretariat which Group(s) they wished to attend. The next full WRAC meeting was scheduled for 25th September at 10.30am.

Item 6- Any Other Business

19. The Committee were informed that some chemical firms were now manufacturing systems to prevent backflow from dispensing units.
20. The Committee discussed recommendation 10, concerning the repeat of the exercise to monitor enforcement proposed for 2004. Concern was raised that this might be too early. The Committee agreed that the date should remain for now, but this would need to be reviewed. The Secretariat undertook to consider this and report back to the Committee. Water companies would be informed as to the nature and extent of any future exercise to be carried out well in advance.

Action: Secretariat

**WRAC Secretariat
June 2002**

Annex 1**Water Regulations Advisory Committee****Taking forward the Recommendations of the WRAC report****Overview**

1. The WRAC report, *A review of the enforcement of the Water Supply (Water Fittings) Regulations 1999* was submitted to the Environment Minister Michael Meacher on 17th April 2002. In his initial response, the Minister extended WRAC's remit in accordance with the tenth recommendation of that report to begin implementation of the other 9 recommendations.
2. This will involve a considerable amount of work for the Committee over the coming year if the deadlines set out in the report are to be adhered to. This paper sets out a mechanism and possible timetable for this work, on which the Committee's views are invited.

Continuation of the WRAC working group approach

3. Following their useful application prior to the development of WRAC's report, it is proposed that three working groups should be convened to address the recommendations as appropriate. A table setting out how it is proposed the recommendations be divided between the working groups is outlined below.

WORKING GROUP 1	WORKING GROUP 2	WORKING GROUP 3
Best practice guide (Rec. 1-3)	Approved Contractor schemes (Rec. 4)	Evolutionary mechanism for Regulations (Rec. 6)
Notification (Rec. 5)		Approval under Regulations (Rec. 7)
WRAS (Rec. 9)		Point of sale control (Rec. 8)

4. Committee members are invited to volunteer for the subgroups to which they can best apply their knowledge and experience. As previously, each WRAC member and observer will receive the papers developed for all working groups to ensure cross-fertilization of ideas and careful consideration of all the issues. Observers would be welcome to attend any working group. Equally, members are welcome to attend other working group meetings, although due to the large work-load envisaged, members might prefer to dedicate their time to a specific area, rather than spread between the working groups. An overall timetable for a work plan is set out in Annex A, with proposed, specific actions below.

Working Group 1: Enforcement

5. This working group will be chaired by John Roy.

Best Practice Guide

6. Depending on its response to the report, it would seem natural for WRAS to develop the discussion of the Best Practice Guide supported by DEFRA and WRAC. It is for WRAS to consider how to take this forward, but it is suggested that this working group provides the main WRAC input as necessary. Initial actions required will be:
 - WRAS feedback

- Development of a working plan, with actions, to deliver this guidance by April 2003
7. It is important to note that the development of the Best Practice Guide will naturally require the inclusion of the considerations of the other two working groups. There should be provision for discussion and liaison between the working groups to ensure that these areas are covered effectively.

Notification (Recommendation 5)

8. DEFRA to initiate discussions through WRAC with other organisations, suggested initial actions are:
- Discussion with WRAS (and selected water companies?) to establish water industry view, both in terms of improving the current situation and the feasibility/desirability of amending this requirement
 - Convene wider forum to include BRAC, WRAS, contractors/client organisations

Role of WRAS (Recommendation 9)

9. It is considered that the role that WRAS are anticipated to play in the development of the WRAC recommendations as a whole should strengthen the overall position and raise the profile of the organisation. It is for WRAS to consider it's response to this recommendation.

Working Group 2: Plumbing Working Group

10. This working group will be chaired by Geoff Marsh.
11. DEFRA should lead discussions with support from WRAS, the water companies and other organisations operating Approved Contractor schemes. Suggested actions are:
- Initial discussions with organisations running schemes (feedback)
 - Development of Table 6, *Membership and entrance criteria for Approved Contractor Schemes* (page 22) in the WRAC report to cover the details of all current schemes for constructive comparison
 - Meeting with interested parties - WIAPS, water companies, IoP, SNIPEF, APHC - to consider minimum entry criteria and feasibility of one national scheme.

Working Group 3: Technical Working Group

12. This working group will be chaired by John Swaffield.

Evolutionary Mechanism for Regulations (Recommendation 6)

13. DEFRA, WRAC and WRAS should work to find suitable solutions to encourage the development of new technology, perhaps in the first instance by:
- Meeting with DEFRA, WRAC and WRAS to identify issues and agree way forward
 - Consideration of retrofitted dual flush devices

Approval under the Regulator's Specifications (Recommendation 7)

14. WRAC, WRAS and DEFRA should collectively take this forward by:
- Discussions with Bathroom Manufacturers Association (BMA) and WRAS

- Consideration of way forward (with DEFRA)
- Meetings with WRAS, BMA and any other interested parties

15. Recommendation 8: Point of Sale Control

DEFRA should consider the introduction of point of sale control on water fittings. The Secretariat will report back to WRAC on progress with this issue in due course.

WRAC Secretariat

May 2002

ANNEX A: Timetable of Events for WRAC Working Groups

Date	EWG	PWG	TWG
28 th May 2002			FULL WRAC MEETING
		Initial consideration	
By July 31 st 2002	WRAS to feedback & open discussion	Initial WG meetings. Discussion with Approved Contractor scheme organisers.	Initial WG meetings. Discussion with BMA and WRAS.
By 31 st August 2002	Follow up meetings	Follow up meetings.	Follow up meetings.
September 2002		FULL WRAC MEETING Update on progress. Liaison and cross cutting issues.	
By 31 st December 2002	Follow up consideration. Deadline for Notification conclusions	Follow up consideration. Deadline for recommendation 4	Follow up consideration. Deadline for Conclusions
December 2002		FULL WRAC MEETING Discussion of conclusions and integration to Best Practice Guide	
By April 2003	Deadline for Best Practice Guide.	Assistance with EWG Deadline for modifications to existing APC schemes to be implemented.	Assistance with EWG
April/May 2003		CONCLUDING FULL WRAC MEETING	