

SPSO decision report

Case: 201203300, Business Stream
Sector: water
Subject: charging method / calculation
Outcome: not upheld, action taken by body to remedy, no recommendations

Summary

When Mr C's business moved into new premises, he discovered within a few days that Scottish Water had disconnected the water supply around 18 months earlier, because there had been a burst pipe during a spell of cold weather. As the pipework was privately owned, Scottish Water would not reconnect the supply pipe. Mr C was advised to arrange for his own plumber to do this, but the plumber was reluctant, as the work could disrupt the water supply to a number of neighbouring businesses. There was a delay of around three months before Mr C was able to find a plumber to do this. During this time, as the premises did not have a water meter, Mr C's business was charged by Business Stream for unmeasured water usage based on the premises' rateable value. He did not consider it fair that he should be charged for water that he was not using, given that Scottish Water had removed the pipework.

Our investigation found that Scottish Water are only responsible for pipework up to the point that the public network meets the private property owner's pipework. Although we recognised that the lack of water supply was largely beyond Mr C's control, we found that Scottish Water and Business Stream had fulfilled their obligations to provide a water supply that his business could access. The responsibility lay with Mr C to make the necessary arrangements to connect to that supply.