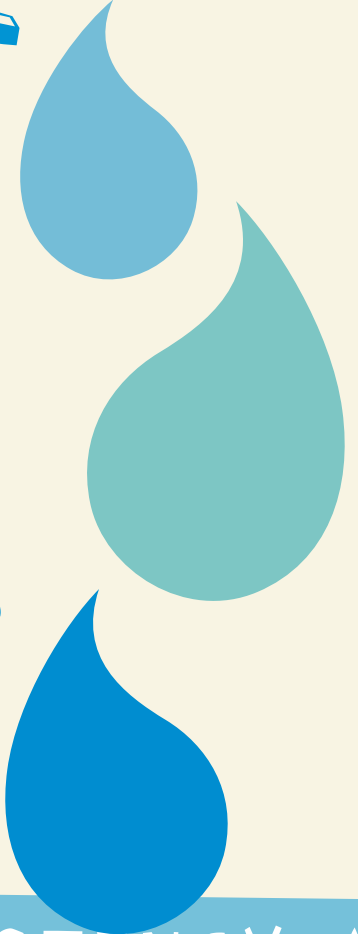




ENFORCEMENT POLICY

WATER SUPPLY
(WATER FITTINGS)
REGULATIONS
1999



TRANSPARENCY TARGETING
CONSISTENCY TARGETING
PROPORTIONALITY
ACCOUNTABILITY
PROPORTIONALITY
TARGETING
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PROTECTING YOUR WATER SUPPLY, PROTECTING YOUR HEALTH

Anglian Water has a legal duty to make sure the water it supplies is of the highest quality possible. It must also make sure others follow the rules on connecting, using and maintaining pipes and water fittings inside homes and businesses.

These rules are called the Water Supply (Water Fittings) Regulations 1999 (the Regulations). They are designed to stop the waste, misuse, contamination and inaccurate measurement of water the company supplies.

Anyone who owns or occupies buildings connected to the public water supply, or who installs plumbing or water fittings, has to follow the Regulations.

It is Anglian Water's duty to enforce them.

The company and its contractors are allowed to enter properties and carry out inspections to make sure the Regulations are being followed.

THE AIMS OF THIS POLICY ARE:

- To make sure there is a consistent approach to the enforcement of the Regulations within the Anglian Water area
- To provide guidance to all involved with water regulations enforcement to make sure enforcement decisions are consistent with current government advice and best practice
- To let people know the principles used to guide enforcement action

THE PURPOSE OF ENFORCEMENT

Anglian Water enforces the Regulations so as to:

- Ensure the safety of the public water supply
- Reduce the risks to health from contaminated water (both within premises and in the wider water supply network)
- Minimise the wastage of water within premises and promote efficient water use
- Protect company assets
- Preserve valuable water resources; and comply with its statutory obligations

Enforcement can range from providing advice all the way through to court action, although Anglian Water believes prevention is better than cure and that educating people about their responsibilities is the best way to make sure the Regulations are followed.

The company promotes best practice through written and face-to-face advice. You can learn about the requirements of the Regulations on our website [anglianwater.co.uk/waterregs](https://www.anglianwater.co.uk/waterregs)



ENFORCING THE REGULATIONS

If someone is found in breach of the Regulations, Anglian Water must decide what steps to take. There are a number of things to consider. Is there is a risk to public health? How much water is being wasted? Does the customer have a history of breaking the rules? How willing are they to put things right?

The vast majority of people want to obey the law, so in most situations the best thing is for the company to work with them to solve any problems.

OUR APPROACH

To make sure the Regulations are enforced fairly, the company's decisions are also based on a number of principles. These say its actions must be:

Consistent

To be fair, decisions have to be consistent. However, no two situations are the same and Anglian Water employees have to exercise their judgement in each case. To help keep decisions consistent, the company is in regular contact with other water companies and interested groups.

Targeted

Anglian Water's programme of inspections is based on the potential risk posed by different properties should something go wrong. This decides how often a particular property is inspected, with those that pose the biggest potential risk to the public water supply getting more regular visits.

Transparent

If someone is found to be in breach of the Regulations, Anglian Water will give them a clear explanation of what is wrong and what they need to do. The company may also give advice on how to go beyond the basic requirements and meet current best practice. If the breach is serious and immediate action is needed then Anglian Water will explain why, both verbally and in writing.

Accountable

Anglian Water is accountable for its actions. The way the company deals with comments and complaints are set out in our codes of practice, which are available on our website **anglianwater.co.uk/codesofpractice**

In all cases, the response will be proportionate to the seriousness and persistence of the breach.



WHAT WE CAN DO

There are a number of steps Anglian Water can take to make sure the Regulations are followed.

INFORMAL APPROACH

In many cases, Anglian Water will simply follow an inspection with a report, explaining what the problem is, what should be done about it and by when. The company will then offer extra advice if people ask for it.

A revisit will be arranged to make sure problems have been put right. This may not be needed if an approved plumber has done the work and issued a certificate to say the property's water fittings comply with the Regulations.

A full list of approved plumbers can be found at anglianwater.co.uk/approved-plumber or watersafe.org.uk

WARNING LETTERS

These are sent if the informal approach has not worked but a caution or prosecution is not thought to be appropriate.

ENFORCEMENT NOTICES

These are issued in the case of a serious problem when an informal approach has either failed or is not appropriate. An enforcement notice is a formal document that says work to put things right must be carried out. If the work is not done, then more serious action is likely to follow.

WORKS IN DEFAULT

If work listed on an enforcement notice is not done in time, Anglian Water may carry out the works itself and charge the costs to the person or company concerned.

DISCONNECTION OF SUPPLY

Sometimes a problem may be so serious it is considered an emergency. If so, Anglian Water may have to cut off water to the premises to protect public supplies.

Water supplies can also be stopped if work listed on an enforcement notice has not been done in time and the premises appear to be empty.



SIMPLE CAUTIONS

Anglian Water may give a caution instead of taking someone to court. A simple caution is not a criminal conviction, but by accepting it an individual or business admits breaching the Regulations. This could affect how they are dealt with if they commit any other offences and may be brought up in any future court hearings.

SIMPLE CAUTIONS AIM TO:

- Deal quickly and simply with cases where there is an admission of failure to comply with the Regulations
- Divert serious offences from the criminal courts
- Record a failure to comply with the Regulations for possible reference in future criminal proceedings
- Reduce the likelihood of re-offending

PROSECUTION

This is for the most serious cases, where an informal approach has not worked or where there are frequent, less serious breaches.

Before going down this route, Anglian Water will apply the same tests the Crown Prosecution Service use in deciding whether to bring a case to court. These evidence and public interest tests are described in the Crown Prosecution Service Code for Crown Prosecutors.

The following factors will also be considered:

- The seriousness of the alleged offence
- The severity and scale of potential or actual harm
- Any explanation offered
- The willingness to prevent it happening again
- Whether those involved have broken the rules before and how willing they were to put things right
- The likelihood that a defence could be established
- The strength and admissibility of the evidence
- The probable public benefit of a prosecution and the importance of the case in establishing a precedent
- Whether other action would be more appropriate or effective



PENALTIES

Failure to comply with the Regulations is a criminal offence. Any person or business convicted can be fined up to £1,000.

DEFENCE

The Regulations provide a defence for an owner or occupier charged with an offence based on the installation, alteration, repair, connection or disconnection of a water fitting, if they can prove the work was done by an Anglian Water approved plumber who certified the water fitting complied with the Regulations.

POWERS OF ENTRY

Employees with authorisation from have the right to enter a business or home at any reasonable time of day. They first have to give the occupier 24 hours notice, although this may not be necessary in an emergency. Stopping an authorised employee from entering a property is an offence and anyone found guilty could be fined up to £1,000.

If Anglian Water employees are stopped from entering a property, the company may get a court warrant. This allows entry to be made by force if necessary.

PUBLICITY

If a person or business is found guilty in court of breaching the Regulations, Anglian Water will consider publicising the conviction. This could be through the media or the company's own publications, website or social media accounts.

The aim would be to draw attention to the Regulations, the need to follow them and to deter anyone tempted to break them.

YOUR RIGHT TO APPEAL

As a regulatory body, Anglian Water Services is accountable for its actions.

To make a complaint, please email:

anglianwatercustomerservices@anglianwater.co.uk

or write to:

Anglian Water Customer Services
PO Box 10642
Harlow
CM20 9HA



TRAINING OUR EMPLOYEES

Only properly trained, experienced and authorised people are allowed to carry out inspections and enforcement of the Regulations. The company makes sure its employees are kept up-to-date with changes in the law, with best practice and with any changes to this policy.

GENERAL INFORMATION AND CONTACTS

The Water Supply (Water Fittings) Regulations 1999 and amendments make provision for preventing the waste, misuse, undue consumption, contamination and erroneous measurement of water.

The Regulations are published by Her Majesty's Stationery Office and are available to view or download from **www.legislation.gov.uk**

Water Regulations Guide is produced by the Water Regulations Advisory Scheme (WRAS) and can be purchased from Her Majesty's Stationery Office, ISBN 0-9539708-0-9.

"What are Water Fittings Regulations" and "When things go wrong and you're not happy with our service" can be requested from

Anglian Water Services Ltd

Telephone: **03457 145 145**

Email: **anglianwatercustomerservices@anglianwater.co.uk**

Water Regulations Advisory Scheme (WRAS)

Fern Close, Pen-y-Fan Industrial Estate, Oakdale, Gwent NP11 3EH

www.wras.co.uk

Telephone: **01495 248454**

Email: **info@wras.co.uk**

Anglian Water Approved Plumber Scheme (APLUS)

Anglian Water Services Ltd, Water Regulations Team, PO Box 495, Huntingdon PE29 6YY

www.anglianwater.co.uk

Telephone: **0845 60 66 087**

REVIEW

This Enforcement Policy will be reviewed every year or when necessary as a result of changes in legislation or centrally issued guidance.

Date of last review: February 2014



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