

Enforcement Policy

Water supply (water fittings)
regulations 1999



Protecting your water supply, protecting your health

We have a legal duty to make sure the water we supply is of the highest quality possible. We must also make sure that others follow the rules on connecting, using and maintaining pipes and water fittings inside their homes and businesses.

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

If you own or occupy buildings connected to the public water supply, or install plumbing or water fittings, you have to follow these regulations.

It's also our duty to enforce them.

Anglian Water and our contractors are allowed to enter properties and carry out inspections to make sure the regulations are being followed.

From April 2017, if you're an eligible non-household customer, you can choose which company you buy your water and sewerage services from. However, we'll remain the wholesaler with sole responsibility for enforcing these regulations within your region.

The policy aims:

- To make sure we have a consistent approach enforcing these regulations within the Anglian Water area
- To provide guidance to everyone 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

Why we have to enforce the rules:

We enforce the regulations so we can:

- Ensure the safety of the your water supply
- Reduce the risks to health from contaminated water (both within premises and in the wider water supply network)
- Minimise water wastage within premises and promote efficient water use
- Protect our assets
- Preserve valuable water resources and comply with the law

Enforcing the regulations can range from providing advice through to court action. However, we believe that prevention is better than cure - and that educating everyone about our responsibilities is the best way to make sure the rules are followed.

We promote best practice through written and face-to-face advice.

You can learn more on our website:

anglianwater.co.uk/waterregs

Enforcing the regulations

If someone is found to be in breach of the regulations, we have to decide what steps to take.

There are a number of things to consider: Is there a risk to public health? How much water is being wasted? Is there a history of persistent disregard of/for the regulations? How willing are they to put things right?

The vast majority of us want to comply with the law, so in most situations the best thing is for us to work with you to solve any problems.

Our approach

To make sure the regulations are enforced fairly, we base our decisions on these principles:

Consistency

In the interests of integrity, decisions have to be consistent. However, no two situations are the same and our team members have to assess each case individually, considering other matters such as environment, use etc. To help keep decisions consistent, we are in regular contact through working groups with other water companies and third party bodies.

Targeted

Our 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 - and those that pose the biggest potential risk to the public water supply get more regular visits.



Transparent

If someone is found to be in breach of the regulations, we'll offer them a clear explanation of what's wrong and what they need to do. We 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 we'll explain why, both verbally and in writing.

Accountable

We're accountable for our actions. You'll find how we deal with comments and complaints in our codes of practice, which are on our website: anglianwater.co.uk/codesofpractice

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

What we can do

There are a number of steps we can take to make sure the regulations are followed.

Informal approach

In many cases, we'll simply follow an inspection with a report, explaining what the problem is, what should be done about it and by when. We'll then offer extra advice if asked.

We'll arrange to visit again to check that any issues have been put right. We might not need to do this if an approved plumber has done the work and issued a certificate saying the property's water fittings comply with the regulations.

A full list of approved plumbers can be found at: [watersafe.org.uk](https://www.watersafe.org.uk)

Warning letters

These are sent if the informal approach hasn't worked but we don't feel that a caution or prosecution is needed.

Enforcement notices

We issue these if there's a serious problem and an informal approach hasn't worked or isn't thought to be



appropriate. An enforcement notice is a formal document that says work to put things right must be carried out. If the work isn't done, more serious action is likely to follow.

Works in default

If work listed on an enforcement notice isn't done in time, we might carry out the works and charge the costs to the person or company concerned. We do this under Section 75 of the Water Industry Act 1991.

Disconnecting supply

Sometimes a problem may be so serious that it's considered an emergency. If so, we might 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 hasn't been done in time and the building seems to be empty.

Simple cautions

We may give a caution instead of taking someone to court. A simple caution isn't a criminal conviction but by accepting it, a person 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 someone/a company admits they've failed to comply with the regulations
- Divert serious offences from court
- Record a failure to comply with the regulations for possible reference in future criminal proceedings
- Reduce 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, we'll 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

If a person or business fails to comply with the regulations, this is a criminal offence - if convicted, they can be fined up to £1,000 per offence.

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. This applies if they can prove the work was done by a water industry-approved plumber who certified the water fitting complied with the regulations.

Powers of entry

Our employees with authorisation 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 if you're found guilty, you could be fined up to £1,000.

If our employees are stopped from entering a property, we may get a court warrant, which allows entry to be made by force if necessary.

Publicity

If a person or business is found guilty in court of breaching the regulations, we sometimes publicise the conviction. This could be through the media or our own publications, website or social media accounts.

Our 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

Training our colleagues

Only properly trained, experienced and authorised people are allowed to carry out inspections and enforce the regulations.

We make sure our colleagues are kept updated 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 at: legislation.gov.uk

Water Regulations Guide is produced by the Water Regulations Advisory Scheme (Water Regs UK) - you can buy this from Her Majesty's Stationery Office, ISBN 0-9539708-0-9.

Need to contact us?

Anglian Water's Water Regulations Team

Phone: 0345 600 1063

Email: WaterRegulations@anglianwater.co.uk

Water Regs UK

Fern Close, Pen-y-Fan Industrial Estate, Oakdale, Gwent NP11 3EH
waterregsuk.co.uk

Phone: 01495 248454

Anglian Water Approved Plumber Scheme (APLUS)

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

anglianwater.co.uk/approved-plumbers

Email: aplus@anglianwater.co.uk

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: March 2021