

Response from petition, Cllr Sam Swash, to Welsh Water and Ofwat correspondence (P-06-1521)

Introduction

The responses to the Committee from Welsh Water and Ofwat serve to underline the central argument of this petition: park home residents are uniquely exposed to unfair charging, environmental waste, and regulatory indifference because the current legal framework does not protect them. The correspondence, taken together, confirms that neither Welsh Water nor Ofwat has the power or duty to ensure this situation does not occur again for residents living on single-supply park home sites, even in cases as extreme as Willow Park, where residents have been charged more than £350,000 for water they haven't used. According to information obtained via Environmental Information Regulations (EIR) requests, Welsh Water monitored consumption levels equivalent to around 5 million gallons of wasted water every year – yet still took no decisive enforcement action.

Welsh Water's Correspondence

Welsh Water have confirmed that residents of park home sites, unlike almost every other household in Wales, have no right to ask for, or receive, a water meter, no matter how unfair or environmentally damaging their current situation is. They also confirm that they monitored excessive consumption on the site for years and limited their actions to providing "guidance and advice," despite knowing (as confirmed via EIR requests to the Residents' Association) that the usage recorded did not reflect genuine consumption.

Welsh Water also appear to suggest that they have limited powers to intervene in major leakage situations, despite being aware for years of enormous and environmentally damaging water loss. The Committee may wish to consider asking Welsh Water the following questions:

1. Was any legal notice served on the site owner under section 75 of the Water Industry Act to require repair of the leaks? If not, why not?
2. Was any enforcement or prosecution action taken for the waste of water? If not, why not?

In summary, Welsh Water accept that it took little meaningful action to intervene to protect consumers from excessive charges, despite being aware that the increased consumption was not legitimate usage.

This raises a further question for the Committee to consider: what is the purpose of a regulated water undertaker if it knowingly bills for water it knows is not being used?

Ofwat's Correspondence

Ofwat's response to the Committee contains several important concessions that strongly support the need for legislative reform.

Firstly, they confirm that they have no power to resolve disputes: "we do not have powers to resolve disputes regarding the resale of water, as these are considered to be a private matter."

This means that when residents are overcharged, there is no regulator able to intervene.

Secondly, Ofwat confirms the Water Resale Order protects against profit-making, not unfair costs. The Water Resale Order limits the profit a site owner may make, but it does not limit the total costs they may pass on.

So, as has happened at Willow Park, if a site owner's pipes leak millions of litres of water, the site owner can legally pass the full cost on to residents – even though residents have no control over the infrastructure, repair decisions, or leak detection.

This is an inherent and serious flaw in the existing legislation.

Thirdly, Ofwat confirms that "a water company *can* use its section 75 powers where water is wasted... but this is not a legal requirement." Given the scale of the leakage at Willow Park (leaks spanning years), the absence of a mandatory duty to act should seriously concern both the Committee and the Welsh Government.

Finally, Ofwat confirms that the UK and Welsh Governments will shortly publish a white paper creating "an opportunity to amend existing legislation to better protect consumer and ensure fairer outcomes."

This directly reinforces the need and timeliness of this petition. Any upcoming water reform legislation in Wales must include protections for park home residents – because they currently have none.

Both Welsh Water and Ofwat have again relied on the “it’s a private matter” trope – this amounts to a regulatory shrug of the shoulders and an acceptance that neither have the power to stop either the obscene waste of water or the scandalous charges being imposed on park home residents.

Further Evidence of Inequity

The weaknesses of the current system are further highlighted by events between 14–17 August, when a major burst pipe left households across Flintshire without running water. Welsh Water compensated affected householders between £200 and £250.

But because Willow Park has only one water account, Welsh Water issued one payment of £210 to the site owner, who was instructed to divide this among more than 150 homes. This means each home received just £1.32 for being without water for three days.

This starkly illustrates how the current charging and compensation systems penalise park home residents.

Conclusion

It is important for the Committee to understand that the issues experienced at Willow Park are not unique. Any park home resident in Wales living on a single-supply site could face the same situation. This is a structural failing created by:

- A single-supply system that denies residents individual rights
- A regulatory system that classifies disputes as “private matters”
- Resale rules that allow residents to bear 100% of costs without owning 1% of the infrastructure
- A water undertaker with no duty to intervene
- A regulator with no power to intervene
- Site owners who are not required to install meters

Without legislative reform, it is clear that this situation could be repeated across Wales. A statutory right to a water meter for park home residents would:

- Give park home residents the same rights every other household in Wales enjoys
- Practically eliminate the risk of overcharging
- Incentivise proper maintenance of private water networks and therefore prevent large-scale water waste
- Reduce the environmental harm caused by vast amounts of wasted water

The correspondence from both Welsh Water and Ofwat makes one thing absolutely clear: the current system cannot and will not protect park home residents from unfair costs and environmental waste.

Park home residents are trapped in a system in which the water undertaker has no duty to intervene, the regulator has no power to help, and the only party with the ability to install water meters – the site owner – has no obligation to do so. In the absence of reform, what happened at Willow Park is not a one-off scandal but an inevitability waiting to be repeated elsewhere in Wales.