

Surface Water Drainage Charges

Changes to Charges in Certain Areas

Some churches will be aware that certain Water and Sewerage Companies have introduced changes to the way in which they charge for their services and in particular the way in which surface water drainage charges are applied. As a consequence some churches will have seen significant increases in their water charges or indeed may have received a bill for the first time.

As this issue affects churches of all denominations the matter has been taken up ecumenically through the **Churches Legislation Advisory Service** (CLAS), the name of the new body which has replaced the Churches Main Committee.

OFWAT, which is the Government's Independent Regulatory Body have met representatives of CLAS and have explained that those Water Authorities which have introduced new charging arrangements have done so in response to their own recommendations. OFWAT consider this to be a fairer basis, which helps to redress an historic situation whereby some customers benefit from a subsidy, effectively at the expense of others.

England and Wales

So far 4 out of the 10 Water and Sewerage Companies in England and Wales have introduced charges to non-household customers for Surface Water Drainage based upon site area, some on a phased basis, namely:

Severn Trent	- commenced 2000-01
Yorkshire Water	- commenced 2001-02
Northumbrian Water-	commenced 2006-07
United Utilities	- commenced 2008-09

It will be a matter for the other six Water and Sewerage Companies to decide on when and whether to make similar changes to the way such charges are levied.

Scotland

The situation in Scotland is different as Scottish Water is publicly owned and the Scottish Government have stated that churches and small charities would remain exempt from these charges until 2014.

Basis of Water Company Charges

For clarification Water Company bills normally comprise 3 separate elements:

- Water Supply
 - Foul Water Drainage
 - Surface Water Drainage
- (i) Water Supply charges will vary depending upon whether the supply is metered or not.
- (ii) Foul Water Drainage charges usually follow those for water supply, whether this is based upon measured volume via a water meter, or for example on a rateable value of the premises.

Separate arrangements are likely to apply where foul drainage from the premises is to a septic tank rather than the foul water sewer.

- (iii) Surface Water Drainage – this is where the main changes to water companies' tariffs based on site area have, or are likely to, impact upon church's bills.

Site area-based charges

Under site area-based charging there are likely to be 2 elements:

- (i) To reflect the amount of rain water which falls upon roofs and non-permeable surfaces and drains to the public surface water sewer.
- (ii) Highway drainage which may, for example in United Utilities case, constitute 50% of the total Surface Water Drainage Charge.

In relation to (i) Water Companies should agree to a rebate for premises which can demonstrate that rainwater within their site falls on permeable ground (e.g. gardens, graveyards, gravel car parking areas) and/or from roof areas into soakaways.

It is quite likely that customers will need to apply to the Water Companies for such rebates setting out the basis for their case.

General Guidance for Managing Trustees

In view of the above we would offer the following guidance for managing trustees if and when they receive bills from their Water Company which differ from those they are used to:

- Carefully check all elements of the bill to establish if they are correct.
- Check whether your premises drain to the public sewer or to soakaways
- Check whether the plans used by the Water Company to calculate the site area charge are accurate and have been applied in accordance with the Water Companies information, - then identify any portion of the site which does not drain to the public sewer by virtue of its permeability.
- If there are grounds for the calculations to be reviewed, apply to the company for a rebate.

We do not recommend that you withhold payment, but if you are unsure about the accuracy of the bill you should write to state that you do not agree with the Company's calculation and give notice of your possible intention to appeal.

Disputes

If you have a dispute with the way your Water Company has assessed your site area in the first instance you should raise it direct with the Company.

If you have contacted the company and you are still not happy, or if you find them to be uncooperative, you can ask your local Consumer Council for Water (CCWater) Committee to investigate.

We are aware that there is an e-petition to Government (www.petitions.pm.gov.uk/ChurchWaterBills) intended to raise concern on behalf of churches but CLAS is continuing in its endeavours to take matters up with the appropriate Government Minister and we will update this information in the light of further developments.

Further more detailed information is available on the websites of:

OFWAT: www.ofwat.gov.uk and
CCWater: www.ccwater.org.uk

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