

**WORSHIPFUL COMPANY OF WATER CONSERVATORS
RESPONSE TO THE DEFRA CONSULTATION ON
UK MANDATORY WATER EFFICIENCY LABELLING
NOVEMBER 2022**

SUMMARY

- S1. This is a Statement by The Worshipful Company of Water Conservators. It is a City Livery Company focussed on the long-term health of our water resources and the broader environment. Our members include senior professionals from water, environmental and related industries and regulators, along with others who share our passion for water and the environment. Our experience and knowledge ranges from the complexities of environmental sciences, through the application of engineering to deliver the goals identified by those sciences, and the subsequent management of the assets created. We are mindful of the impact of any decision relating to the water environment, be it environmental, social or economic.
- S2. The Company supports the concepts underlying proposals for water efficiency labelling but it has a number of specific suggestions to enhance the process.
- S3. There is a fundamental point about whether there should be a national initiative to phase out the sale of very inefficient devices. It is not enough to have a label that says that a device is inefficient and leave it to the retail customer to choose.
- S4. The Water Conservators support the notion of using ISO 31600 as a starting point for labelling. The Company observes that the organisations consulted in preparing the proposals seem to be predominantly from one side of the range of interested parties and even the BSI does not seem to be amongst them. Some are marketing products with less than clear labels. The Company suggests that it would be prudent to consult consumer organisations such as Consumer Association and the Women's Institute, if they have not responded to the consultation. As the potential local regulator is likely to be Trading Standards, the LGA and the Chartered Trading Standards Institute should be consulted.
- S5. The Company has identified some omissions for the suggested devices needing labelling. It submits that it would be more efficient for the Regulations to state that the Secretary of State should be empowered to add or delete devices from a prescribed list from time to time after due consultation, without the need to go through the parliamentary process of reviewing Regulations. The initial prescribed list could refer simply to those products already prescribed in the ISO standard. The wording should be as generic as possible to minimise the regulatory processes.
- S6. The Company suggests that the principles established for energy efficiency labelling are well tested and should be used in the same way for water efficiency. It also recommends that all the legislation regarding water fittings need review.
- S7. The Company raises the question of whether Building Regulations should be modified to ensure that at only fittings with a minimum level of efficiency should be specified for new build and in refitting commercial premises.
- S8. The Company offers some commentary on the cost benefit analysis.

S9. The Company has liaised with the Worshipful Company of Plumbers and the Chartered Institute of Plumbing and Heating Engineers and wishes to emphasise the importance of having properly licenced plumbing and heating engineers to install duly approved efficient, safe water fittings.

BACKGROUND

1. The Company has contributed to several consultations on Defra proposals affecting water conservation in 2022 including that on water fittings (<https://www.waterconservators.org/wp-content/uploads/Fittings-position-paper.pdf>).
2. It has suggested that water demand targets will only be met with a broader level of societal commitment than just the enhanced effort of water companies .It has suggested that all of us, as citizens and consumers, have a role to play and the Company has termed that ‘Citizen Delivery’ to sit alongside ‘Citizen Science’. The drought this year raised attention to what we can all do to save water, conserve resources and protect the environment. The Company, therefore, supports wholeheartedly the concepts underlying proposals for water efficiency labelling.

SUGGESTIONS FOR ENHANCEMENT

3. There is a fundamental point about whether there should be a national initiative to phase out the sale of very inefficient devices. It is not enough to have a label that says that a device is inefficient and leave it to the retail customer to choose. The current approach has an implicit assumption that market forces will drive the transition. It may well be that the cost of investment will stop the necessary improvements, with just a labelling system.

Labelling

4. Customer choice lies at the heart of ‘Citizen Delivery’. All retail-labelling systems, for example for recycling, disposal of sanitary products, food content such as sustainable sources, must be clear and unambiguous. These can however be overwhelming for purchasers.

Which Products to Label

5. The Company endorses the products specified in ISO 31600 only as the starting point. The overall approach suggested does not seem right. Asking if anyone has any suggestions for other products now does not accommodate future changes in the market place. Each change would require revision of the Regulations, but even using ISO 31600 as the starting point, there are some exceptions. The ISO Standard refers to all taps, not just those indoors and the proposals exclude external taps. The proposals also do not include flow regulators. The proposals and indeed the Standard, appear to exclude devices like bidets, instant boiling water taps (joint regulation with energy saving), inline water filters, softeners and aerators and specialist equipment, such as those in hairdressing, dentistry and catering.

6. From their experience the Water Conservators submit that it would be more efficient for the Regulations to state that the Secretary of State should be empowered to add or delete devices from a prescribed list from time to time after due consultation, without the need to go through the parliamentary process of reviewing the Regulations. The initial prescribed list could refer simply to those products already prescribed in the ISO standard. Whatever, the wording should be as generic as possible to minimise the regulatory processes.

Regulators

7. The proposals also ask for views on appropriate Regulators. The Company suggests that the principles established for energy efficiency labelling are well tested.
 - The Office for Product Safety and Standards should be the Market Surveillance Authority
 - The Advertising Standards Authority should be responsible for enforcing the marketing of products with water efficiency information
 - Local authorities should be responsible for enforcing the Regulations in relation to dealers
 - British Standards Institute to continue as the UK representative in ISO dealing with matters such as an update of the Standard
8. This raises the issue of the plethora of Regulators dealing with non-commercial water use at a time when there is a push for regulatory streamlining. The Company has already anticipated the role of local authorities in its response on water fittings (<https://www.waterconservators.org/wp-content/uploads/Fittings-position-paper.pdf>) and has suggested that the whole matter of regulation of water fitting needs review. It will be making further submissions.
9. This then leads on to the question posed in the relation to other Regulations. Quite apart from the alliance of water efficiency labelling to the Water Supply (Water Fittings Regulations)1999, it raises the question of whether Building Regulations should be modified to ensure that at only fittings with a minimum level of efficiency should be specified for new build and in refitting commercial premises.

Cost Benefit

10. As far as cost benefit is concerned, the Water Conservators accept the calculations with one or two provisos. Different asset replacement rates apply; a washing machine, for example, is replaced more frequently than, say, a shower. The Company assumes that calculation assumes a stipulation for water efficient devices in new build, and that the expectation is the requirement for water efficient devices in due course will apply to the wholesale market for bulk purchases for public toilets and hotels for example. The Company does not agree that these proposals could defer the need for water supply schemes, which are often driven by development projects.