

## Summary of the Private Water Supplies Regulations 2009

The Private Water Supplies Regulations 2009 (the Regulations) will come into force on the 1<sup>st</sup> January 2010 and will apply to all private water supplies intended for human consumption. This means they apply to water for domestic purposes (e.g. drinking, cooking, food preparation and washing) and water used for food-production purposes. These supplies include:

1. Water from a well or borehole or spring, which is supplied from someone other than a Water Undertaker or Licensed water supplier, or;
2. Water supplied by Water Undertaker or Licensed water supplier, which is then further distributed by another person (a “private distribution network”). Examples of private distribution networks will be published in Guidance.

The Private Water Supplies Regulations 2009 can be found on the OPSI web site:

[http://www.opsi.gov.uk/si/si2009/uksi\\_20093101\\_en\\_1](http://www.opsi.gov.uk/si/si2009/uksi_20093101_en_1) for England, and at:

<http://www.assemblywales.org/bus-home/bus-guide-docs-pub/bus-business-documents/bus-business-documents-doc-laid.htm?act=dis&id=161319&ds=1/2010> for Wales.

The Regulations require Local Authorities to complete a risk assessment of all Private Water Supplies (PWS) in the first five years after the Regulations come into force, except for supplies to a single non-commercial dwelling (unless a risk assessment is requested). Example risk assessments can be seen on the Government’s official Private Supplies website: [www.privatewatersupplies.gov.uk](http://www.privatewatersupplies.gov.uk). This site will also be updated with new examples and guidance.

The Regulations require Local Authorities to monitor PWS. The Private Water Supplies Regulations 2009 (which can be found on the OPSI web site: <http://www.opsi.gov.uk>) give a clear indication of the monitoring requirements from which Local Authorities can develop their annual sampling programme.

For Small Supplies (of less than 10m<sup>3</sup> /day) the monitoring is based on the conclusions of the risk assessment.

Larger PWS (greater than 10m<sup>3</sup> / day), and any supplies that provide water for commercial activities, will require check and audit monitoring from the first year.

Local Authorities must keep records of all PWS including Private Distribution Systems.

The following information must be sent to the Secretary of State (in practice the Drinking Water Inspectorate) for each supply by the 30<sup>th</sup> June 2010:

- *the name of the supply, together with a unique identifier;*
- *the type of source.* There are three categories of sources: (1) surface waters (rivers, streams, lakes, reservoirs); (2) ground waters (springs, wells, boreholes) that are not influenced by surface waters; and (3) mixed sources which are ground waters that are influenced by surface water;

- *the geographical location using a grid reference* – the 12 figure ordnance survey grid reference (Easting and Northing) of the location of the source, as close as possible to its known location;
- *an estimate of the number of people supplied* (based on occupancy or using 0.2 m<sup>3</sup>/day per person, i.e. 200 litres per person per day);
- *an estimate of the average daily volume of water supplied in cubic metres* (based on occupancy or using 0.2 m<sup>3</sup>/day per person i.e. 200 litres per person per day);
- *the type of premises supplied* (for example private domestic dwellings, hotels, bed and breakfast establishments, schools, colleges, hospitals, public libraries, food production undertaking etc);
- *detail of any treatment process, together with its location* (examples of treatment processes include collection chambers, coagulation and flocculation, clarification, settlement, sedimentation, aeration, oxidation, filtration, ion exchange, membranes, disinfection, etc);
- *the name of the Health Protection Agency in whose area the supply is located* (the address, telephone/fax/e-mail, and contact person).

For the first information return to the Inspectorate (due 30<sup>th</sup> June 2010), Local Authorities should provide information on all Private Supplies and those Private Distribution Systems that they know to exist or that will be subject to monitoring during 2010.

Further guidance on the format and method of information submission will be provided early in 2010.

Details of additional information that Local Authorities will be required to supply under the regulations (e.g. sample data) from January 2011 will be provided in the guidance document to be published in January 2010.

The regulations set out procedures Local Authorities must follow if it considers a PWS is unwholesome, including a requirement to investigate the cause and inform the PWS user/s if the supply constitutes a potential danger to human health and give such user/s advice to allow them to minimise any such potential danger. Local Authorities will need to liaise with the Health Protection Agency to seek advice on whether there is potential danger to human health.

Where a PWS requires improvement Local Authorities are encouraged to liaise informally with PWS Owner/Users to prevent a potential danger to human health. If an informal approach does not achieve this then there are other options open to Local Authorities in the Regulations, including the serving of notices.

Local Authorities can make reasonable charges, to cover their costs for carrying out their duties under the Regulations, up to maximum limits set out in the regulations.

Further Guidance on the Private Water Supplies Regulations 2009 is available on the website at [www.dwi.gov.uk/stakeholders/pws/index.htm](http://www.dwi.gov.uk/stakeholders/pws/index.htm)