

SOUTH STAFFORDSHIRE COUNCIL

LICENSING AND REGULATORY COMMITTEE 21 MARCH 2024

PRIVATE WATER SUPPLY REGULATIONS 2016 – ANNUAL RETURN

REPORT OF ENVIRONMENTAL HEALTH AND LICENSING TEAM MANAGER

**LEAD CABINET MEMBER – COUNCILLOR RITA HESELTINE – DEPUTY LEADER AND
CABINET MEMBER FOR REGULATORY SERVICES**

PART A – SUMMARY REPORT

1. SUMMARY OF ACTIONS TAKEN

- 1.1 The Local Authority has the responsibility for risk assessing and monitoring private water supplies within the district to ensure that water from private water supplies is wholesome, so that people who drink water or consume food or drinks made from private supplies may do so without risk to their health.
- 1.2 This report advises on the work undertaken during 2023. It follows on from the report of 16th March 2023 which set out a planned programme of work, and the charging scheme.

2. RECOMMENDATIONS

2. 1 To note the work undertaken during 2023 to ensure the wholesomeness and safety of drinking water obtained from private water supplies in the district.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	A safe and sustainable District
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	March 2024	
FINANCIAL IMPACT	No	The charging scheme seeks to recover costs expended by the Local Authority in implementing the private water supply monitoring scheme.
LEGAL ISSUES	Yes	None – For information only

OTHER IMPACTS, RISKS & OPPORTUNITIES	None	Risk of action by DWI if we do not discharge our duties in relation to private water supplies. Reputational risk of illness or outbreak associated with private water supply we have not engaged with. Opportunity to improve quality of private water supplies across South Staffordshire.
IMPACT ON SPECIFIC WARDS	No	

PART B – ADDITIONAL INFORMATION

4. INFORMATION

Background

- 4.1 A private water supply is any supply not provided by a water company where the water is consumed for domestic purposes or as part of a public or commercial activity. About 1% of the population of England and Wales use a private water supply. Most of these supplies are situated in remote, rural parts of the country and can originate from a range of sources including boreholes, natural springs and watercourses.
- 4.2 A map of private water supplies in South Staffordshire has been attached at Appendix 1 for information.

Regulatory Framework

- 4.3 The Drinking Water Inspectorate (DWI) was created in 1990 to provide independent reassurance that public water supplies in England and Wales are safe and drinking water is acceptable to consumers. Its role includes oversight of local authority enforcement of regulations in respect of private water supplies.
- 4.4 Private Water Supply (England) Regulations 2016 (amended 2018) provide measures and controls for the work of local authorities with private water supplies. These included a new accreditation scheme that all officers involved in private water sampling had to be certified before undertaking these duties and a new method for risk assessments. Officers from the Environmental Protection Team have undertaken training and are accredited to carry out these duties.
- 4.5 Duties for the local authority include:
- Risk Assessments
 - Sampling visits
 - Investigations (where water quality is not up to the appropriate standard)
 - Analysis of samples

Water Quality

- 4.6 Even if water looks clear, untreated water can contain microorganisms (from animal droppings or human sewage) or chemical contamination which may not be

detectable by taste or smell. Some microorganisms, such as Cryptosporidium, Giardia, Campylobacter and E.coli 0157 can cause vomiting and diarrhoea or more severe illness in some cases.

- 4.7 The effects of chemicals depend on the type and amount of chemical present. One common concern relates to lead, which is dissolved from lead pipework, and can impair childhood development.
- 4.8 The local authority has powers under the Regulations to require that a supply is improved by the relevant person(s) who control the supply. The Regulations also require local authorities to provide private water supply monitoring data to the Drinking Water Inspectorate in the form of an annual return.

Private water supplies categories

- 4.9 Supplies are categorised into three groups:

- **Small Supplies**

A water supply with a daily volume of less than 10m³ (serving fewer than 50 people) where no commercial activity takes place.

These are subdivided into two types:

Shared supplies – These have one supply, managed by the *supply owner* who shares the water with a number of other properties whose occupants are *supply users*. Within South Staffordshire we have 5 Small (Regulation 10) Supplies which serve between 2 – 10 other properties. This is a reduction from the number reported in 2023, based on an initial survey in 2012 and our work in the last decade. It reflects the more up to date information from engaging with supply owners during the last year.

Single supplies - A water supply that serves only one private domestic dwelling where no commercial activity takes place.

The majority of private water supplies within South Staffordshire are single property supplies. We have just reported to the DWI on the state of private water supplies in the District and the number of single dwellings known to us is 42. This is a significant change from the estimate we made in the last report, which was based on the survey undertaken in 2012. All premises from the original estimate were contacted in 2023 and the reduction reflects decisions from property owners to connect to the mains, often because of issues with the original supply. These supplies only need to be sampled and risk assessed at the owners or occupiers request, and therefore the financial impact is negligible.

- **Large Supplies (Regulation 9)**

A water supply with an average daily volume greater than 10m³ (serving over 50 people) or serving a commercial premise for example: B&B's, holiday lets, food premises. These supplies require a risk

assessment every five years and sampling at least once a year at a frequency determined by the risk and volume of water used.

Within South Staffordshire we currently have a 11 large supplies, an increase of 1 from last year, which serve 2 cafés, a brewery, holiday accommodation, food processing establishments and farms.

Risk Assessment

- 4.10 Each local authority is required to carry out a risk assessment of every private water supply except a supply to a single dwelling where the water is not used as part of a commercial or public activity, unless requested to do so by the owner or occupier of the dwelling every five years.
- 4.11 Risk assessments have been undertaken of all small, shared supplies and large supplies during 2023. Generally, there is good compliance with the requirements of the legislation. Given the nature of some supply users, e.g. rural farms, we sometimes found there to be a lack of formal documentation on how to operate and maintain the supply systems. A pragmatic approach has been taken in these circumstances to support duty holders in meeting the requirements.

Sampling of Supplies

- 4.12 During the year 17 monitoring visits to take samples were undertaken. We also had a request from a single dwelling user to carry out a sample of a new supply. Single supplies are not normally sampled in our monitoring regime, only being done so if requested by the supply owner.
- 4.13 Of the samples taken 6 supplies had failures of one or more of the prescribed values or concentrations set out in the private water supply regulations. One of these was deemed more serious because they had an impact on the wholesomeness of supply and its bacteriological quality.
- 4.14 In such circumstances we are required to carry out further investigation of the cause of the failure and serve notice to improve the supply. Following an investigation, a notice was served in December 2023 on one supply owner requiring action to install a water treatment system on their supply. We are collaborating with the owner as they carry out this work.
- 4.15 In respect of the other supplies where exceedances were found we have taken advice from the DWI and UK Health Security Agency (UKHSA) on appropriate action or advice that needs to be given to the supply users.
- 4.16 Where wholesomeness is not in question, e.g. for a couple of the supplies the pH level was outside the recommended range of 6.5 to 9.5, there is no mandatory requirement to improve the supply. In these circumstances we have shared the advice provided by the DWI and UKHSA.
- 4.17 As a result of all the work undertaken last year, we have now advised all supplies on

the frequency of monitoring going forward. For large supplies this is once per year, with the exception of a food processor in the north of the District, which because of the volume of water used must be sampled twice yearly.

- 4.18 For the small, shared supplies they are monitored once every five years.
- 4.19 With completion of the work programme we have one outstanding supply which requires risk assessment and monitoring. Repeated attempts to engage the duty holder have been unsuccessful, and we are now considering legal action.

Annual Return

- 4.20 The final requirement each year is to submit an annual return to the DWI setting out the results of our work. This was submitted on 25th January, in advance of the deadline of the end of January.
- 4.21 In 2024 we will be carrying out monitoring of the large supplies, as per the schedule, along with ensuring that the supplies where notices have been served comply with the legislation.
- 4.22 Risk assessments are undertaken every 5 years so with the exception of the supply where the owner has not engaged, none are scheduled for this year.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

None

6. PREVIOUS MINUTES

Report from November 2019 to Licensing and Regulatory Committee.

Report March 2023 to Licensing and Regulatory Committee Charging Scheme

7. BACKGROUND PAPERS

Appendix 1 – Map of private water supplies in South Staffordshire

Report prepared by: Jenny Rhodes - Team Manager, Environmental Health Protection and Licensing