

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO HEALTH & HOUSING COMMITTEE

Agenda Item No.

meeting date: 27 MAY 2010  
title: APPROVAL OF PRIVATE WATER SUPPLY FEES AND CHARGES  
submitted by: DIRECTOR OF DEVELOPMENT SERVICES  
principal author: JAMES RUSSELL – ENVIRONMENTAL HEALTH MANAGER

### 1 PURPOSE

1.1 To consider and approve the recommended scale of charges in relation to the Private Water Supplies (England) Regulations 2009.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions – To help make peoples lives safer and healthier.
- Community Objectives – Health and well-being.
- Corporate Priorities – To help make peoples lives safer and healthier.
- Other Considerations – None.

### 2 BACKGROUND

2.1 Further to the detailed report by the Chief Executive to this Committee in November 2008, the regulations were delayed in their implementation and have been significantly amended, finally coming into effect on 1 January 2010. With regard to this previous report, Committee resolved to adopt the maximum fees allowed under these regulations.

2.2 Within the Ribble Valley, we have some 296 private water supplies serving approximately 600 premises, the majority of which are domestic properties. The source of private water supplies varies in quality, particularly following heavy rainfall. Some supplies are treated satisfactorily to remove impurities, whilst others, have inadequate treatment or none. Supplies with inadequate or no treatment pose a serious risk to human health, when and if contaminated, following rainfall events.

2.3 Examples of the variety and number of commercial establishments served by private supply include: 3 restaurants, 3 cafes, 5 caravan sites (including 3 static sites), 27 holiday cottages, 8 bed and breakfast, 2 education training centres, 3 works canteens, 39 dairy premises, golf club, ski club and a village hall.

2.4 The number of private supplies in the Ribble Valley has steadily increased over the past few years mainly due to the large number of barns that have been converted into residential accommodation, in remote locations not supplied by mains water. Also, some of the large commercial establishments have transferred from United Utilities mains to their own private borehole for financial reasons. The number of borehole supplies is now 108, which is a significant increase on the 73 recorded in 2001.

2.5 These regulations classify private supplies into three categories dependent upon the number and type of premises served:

- 1) **large supplies** (79): applies to large domestic supplies of 10 m3 per day ( or serving 50 or more persons) and private water supplies of any size that are used as part of a commercial or public activity;
- 2) **small supplies** (77): applies to domestic supplies that provide less than 10 m3 per day;
- 3) **single dwelling supply** (140): discretionary whether to monitor or carry out risk assessment.

Many private households have not yet invested in the necessary equipment and our records indicate that some 80% of supplies in the small supplies categories have at some stage suffered from bacteriological failure of samples.

### 3 ISSUES

3.1 The report presented to Committee in November 2008 referred to the scale of charges contained within the draft regulations. These have been significantly increased and as such, it was considered essential for this matter to be returned to Committee for reconsideration and approval.

3.2 The regulations now set out the following fee structure:

Service (Activity)	Maximum Fee Permitted by the Regulations (Draft)	Fee Recommended for Adoption in Ribble Valley
<b>Risk assessment</b> (each assessment)	£500 (100)	At cost – to maximum of £500
<b>Sampling</b> (each visit)	£100 (80)	£100
<b>Other investigations</b> (each investigation)	£100 (100)	£100
<b>Grant of Authorisation</b> ( each authorisation)	£100 (50)	£100
<b>Analysis of Sample</b> o large supply o small supply)	£500 £25	At cost – approx. £100 -150 £25

#### 3.3 Risk Assessment

- Risk assessment -156 supplies must be risk assessed every five years (31 each year on a rolling programme). In addition, an unknown number of private distribution systems must also be risk assessed. DEFRA estimates each risk assessment should take two working days.
- Monitoring – 77 small domestic supplies will required sampling annually instead of every five years. All private distribution systems must also be monitored in accordance with their risk assessment.
- Implementation – each failure to meet standards must be investigated and remedied, in some cases, formal action involving in the serving of a legal notice will be required to securing improvement to a supply. It is envisaged that this will generate a lot of additional work with the Council being drawn into disputes between owners and consumers of a supply. Indeed, some

owners of supplies may wish to cease supplying water rather than fall liable to the costs deriving from these regulations.

- Record keeping – within the first six months a wide range of information about each supply must be captured and recorded. Much of this information has not been required previously. Computer systems will need to be upgraded and data inputting requirements will be significant.

#### 4 RISK ASSESSMENT

##### 4.1 The approval of this report may have the following implications

- Resources – Significant amount of staff time will be needed to comply with and for enforcing this legislation.
- Technical, Environmental and Legal – Legal input will be required where enforcement action is necessary.
- Political – Rural households will be affected by these regulations through increased fees and treatment costs.
- Reputation – Important that private water supply consumers are fully informed of the changes in the legislation and are informed of the new requirements.

#### 5 RECOMMENDED THAT COMMITTEE

##### 5.1 Agree to adopt the administration fees and charges set out in the table in paragraph 3.2.

#### DIRECTOR OF DEVELOPMENT SERVICES

#### BACKGROUND PAPERS

##### 1 The Private Water Supplies (England) Regulations 2009.

For further information please ask for James Russell, extension 4466 or Matthew Riding, extension 4470.