
STATUTORY INSTRUMENTS

1991 No. 2790

WATER, ENGLAND AND WALES

The Private Water Supplies Regulations 1991

Made - - - - - *10th December 1991*

Laid before Parliament *11th December 1991*

Coming into force - - *1st January 1992*

The Secretary of State for the Environment and the Secretary of State for Wales, in exercise of the powers conferred upon them by sections 67, 77(3) and (4) and 213(2) of the Water Industry Act 1991⁽¹⁾ and of all other powers enabling them in that behalf (those powers being exercised by the Secretaries of State either jointly or separately in the manner set out in Schedule 1 to these Regulations), hereby make the following Regulations:

PART I
GENERAL

Citation and commencement

1. These Regulations may be cited as the Private Water Supplies Regulations 1991 and shall come into force on 1st January 1992.

Interpretation

2.—(1) In these Regulations—

“category one supply” has the meaning given by regulation 9;

“category two supply” has the meaning given by regulation 10;

“parameter” means a property, element, organism or substance listed in the second column of the Tables in Schedule 2, in column 1 of Schedule 3 or in Part II of Schedule 4;

“pesticides and related products” means any fungicide, herbicide or insecticide and polychlorinated biphenyls and terphenyls;

(1) 1991 c. 56. See the definition of “prescribed” in section 219(1).

“prescribed concentration or value”, in relation to any parameter, means the maximum or minimum concentration or value specified in relation to that parameter in the Tables in Schedule 2 as measured by reference to the unit of measurement so specified;

“quarter” means a period of three months beginning on 1st January, 1st April, 1st July or 1st September in any year;

“trihalomethanes” means trichloromethane, dichlorobromomethane, dibromochloromethane and tribromomethane;

“year” means a calendar year.

(2) For the purposes of these Regulations the relevant persons, in relation to a private supply of water to any premises in the area of a local authority are—

- (a) the owners and occupiers of those premises; and
- (b) whether or not the source of the private supply is in that authority’s area, the owners and occupiers of the premises where that source is situated and any other person who exercises powers of management or control in relation to that source.

(3) Any reference in these Regulations to—

- (a) a class followed by—
 - (i) a letter, is a reference to a class of a category one supply;
 - (ii) a number, is a reference to a class of a category two supply; and
- (b) a Table followed by a letter, is a reference to the Table that bears that letter in Schedule 2.

(4) These Regulations shall not apply to a private supply which is used solely for washing a crop after it has been harvested but which does not affect the fitness for consumption of any food or drink in its finished form.

PART II

WHOLESOMENESS

3.—(1) This regulation has effect subject to the provisions of Part III.

(2) Water supplied to any premises from a private supply for such domestic purposes as consist in or include drinking, washing or cooking or for food production purposes shall be regarded as wholesome for the purposes of Chapter III of Part III of the Water Industry Act 1991, as it applies to the supply of water for any of those purposes, if the requirements of paragraph (3) are satisfied; and, where the water has been softened or desalinated and is supplied for drinking or cooking or for food production purposes, the requirements of paragraph (4) are also satisfied.

(3) The requirements of this paragraph are—

- (a) that the water does not contain any element, organism or substance (other than a parameter) at a concentration or value which would be detrimental to public health;
- (b) that the water does not contain any element, organism or substance (whether or not a parameter) at a concentration or value which in conjunction with any other element, organism or substance it contains (whether or not a parameter) would be detrimental to public health;
- (c) that the water does not have a concentration or value of any parameter listed in Tables A to C in excess of the prescribed concentration or value;
- (d) in respect of any parameter listed in Table D that—

- (i) samples taken over the preceding 12 months in relation to that parameter have established that the average concentration or value did not exceed the prescribed concentration or value;
 - (ii) where only one sample is taken in that period in relation to that parameter, the concentration or value did not exceed the prescribed concentration or value; or
 - (iii) where no sample is taken in that period in relation to that parameter, the concentration or value for any sample taken in relation to that parameter in the current year does not exceed the prescribed concentration or value;
- (e) in respect of trihalomethanes that—
- (i) samples taken over the preceding quarter in relation to trihalomethanes have established that the average concentration did not exceed 100 µg/l;
 - (ii) where only one sample is taken in that period in relation to that parameter, the concentration did not exceed 100 µg/l; or
 - (iii) where no sample is taken in that period in relation to that parameter, the concentration for any sample taken in relation to that parameter in the current quarter does not exceed 100 µg/l.
- (4) The requirements of this paragraph are that the water's hardness and its alkalinity are not below the relevant minimum concentrations specified in Table E.

PART III

RELAXATION OF REQUIREMENTS OF PART II

Authorisations

4.—(1) Subject to the following provisions of this Part, the Secretary of State or a local authority may, upon the written application of a relevant person, authorise a relaxation of the provisions of Part II as respects a private supply if he or, as the case may be, the authority is satisfied—

- (a) that the authorisation is necessary, as an emergency measure, to maintain a supply for human consumption;
- (b) that the authorisation is called for by reason of exceptional meteorological conditions;
- (c) that the authorisation is called for by reason of the nature and structure of the ground in the area from which the supply emanates; or
- (d) that the supply is, or is to be used, solely for food production purposes.

(2) The Secretary of State or a local authority may, in the circumstances mentioned in paragraph (1)(c), authorise a relaxation of the provisions of Part II as respects a private supply notwithstanding that no application for such authorisation has been made.

(3) A relevant person shall, if there are any other relevant persons in relation to the private supply in question, at the same time as he makes an application for an authorisation—

- (a) serve a notice of the application on all those persons; or
- (b) publish a notice of the application at least once in each of two successive weeks in one or more newspapers circulating in the locality of the supply.

(4) A local authority shall consult the Secretary of State before exercising any power conferred by paragraph (1) or (2) in relation to a class A, B, 1 or 2 supply.

(5) A local authority which is required by paragraph (4) to consult the Secretary of State shall comply with such directions as he may give in relation to the supply in question as to—

- (a) the transmission to him for determination of any application made to the authority;
 - (b) the imposition of conditions on the grant of an authorisation;
 - (c) the refusal of an application; or
 - (d) the revocation or modification of an authorisation.
- (6) A local authority which grants an authorisation—
- (a) under paragraph (1)(a);
 - (b) under paragraph (1)(b) or (c) in relation to a class A or 1 supply; or
 - (c) under paragraph (1)(d),

shall forthwith send a copy of that authorisation to the Secretary of State.

(7) A local authority shall exercise the powers conferred by paragraph (1) or (2) only if some or all of the premises served by the private supply are within their area; and, where only some of those premises are within their area, only if the powers are exercised jointly with, or with the consent of, any other local authority in whose area the rest of those premises are situated.

Authorisations-restrictions

5.—(1) An authorisation—

- (a) granted under regulation 4(1)(a), shall not so relax the provisions of Part II as to give rise to a risk to public health which the Secretary of State or, as the case may be, the local authority considers unacceptable;
- (b) granted under regulation 4(1)(b) or (c), shall not relax the provisions of that Part so far as they relate to parameters mentioned in Table B or C or item 7 of Table D, or so as to give rise to a public health hazard;
- (c) granted under regulation 4(1)(d), shall not relax the provisions of that Part so as to affect the fitness for human consumption of food or drink in its finished form.

(2) An authorisation shall specify the extent to which the prescribed concentration or value for any parameter is authorised to be contravened.

(3) An authorisation granted under regulation 4(1)(a) or (b) shall specify the date on which it ceases to have effect and an authorisation granted under regulation 4(1)(c) or (d) may specify such a date.

Authorisations – conditions

6. An authorisation may include conditions relating to—

- (a) the quality of water to which the authorisation applies;
- (b) the steps to be taken to improve the quality of the water;
- (c) the monitoring of the quality of the water; and
- (d) the giving of notice of such matters concerning the water as are mentioned in the authorisation to—
 - (i) the Secretary of State;
 - (ii) the local authority; or
 - (iii) any other person named in the authorisation.

Revocation and modification of authorisations

7.—(1) Subject to paragraphs (2) to (5), the Secretary of State or a local authority may at any time modify or revoke an authorisation (whether or not the authorisation is expressed to be granted for a specified period); and regulations 4 to 6 shall apply with suitable adaptations in relation to the modification of an authorisation.

(2) The Secretary of State or a local authority shall not revoke or modify an authorisation without giving at least six months' notice of his or, as the case may be, of the authority's intention to do so by—

- (a) serving notice of the revocation or modification on any relevant person on whose application the authorisation was granted;
- (b) publishing a notice of the revocation or modification in such manner as the Secretary of State or, as the case may be, the authority, considers appropriate for bringing it to the attention of relevant persons; and
- (c) in the case of a modification or revocation by the Secretary of State, by serving a copy of the notice on the appropriate local authority,

but the Secretary of State or the local authority may revoke or modify an authorisation without notice if it appears to him or, as the case may be, that authority, that the immediate revocation or modification of the authorisation is required in the interests of public health.

(3) In paragraph (2) “appropriate local authority” means any local authority whose area includes any premises in relation to which the authorisation applies.

(4) A person on whose application an authorisation has been granted shall notify the Secretary of State or, as the case may be, the local authority as soon as he is aware that the circumstances which gave rise to the application for the authorisation cease to exist; and, notwithstanding paragraph (2), the Secretary of State or local authority shall thereupon revoke the authorisation.

(5) Nothing in this regulation shall permit a local authority to modify or revoke an authorisation granted by the Secretary of State.

PART IV

MONITORING OF PRIVATE SUPPLIES

Duty to monitor

8. It shall be the duty of every local authority to take and analyse samples of water from every category one and category two private supply serving premises in their area in accordance with the following provisions of this Part.

Category one supplies

9.—(1) For the purposes of this Part, a private supply is a category one supply if any water from the supply is supplied for domestic purposes and the supply is not a category two supply.

(2) Subject to paragraph (3), category one supplies shall be divided into classes in accordance with the following Table by reference to the number of persons supplied with water for domestic purposes and the relevant average daily volume of water supplied; but, if those factors would result in a supply falling into different classes, it shall be treated as falling into the class which is earlier in the alphabetical sequence.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Table

<i>Class</i>	<i>Number of persons supplied with water for domestic purposes</i>	<i>Relevant average daily volume of water supplied in m³/day</i>
A	>5,000	>1,000
B	501 to 5,000	101 to 1,000
C	101 to 500	21 to 100
D	25 to 100	5 to 20
E	<25	<5

(3) A category one supply which only serves a single dwelling shall be classified as a class F supply.

(4) Subject to regulation 11, references in this regulation—

- (a) to the number of persons supplied with water for domestic purposes are references to such number of persons as the local authority shall estimate was the maximum number normally served by the supply for those purposes on any one day during the year prior to the year in which the classification is made; and
- (b) to the relevant average daily volume of water supplied are references to such volume (calculated as a daily average) as the local authority shall estimate was distributed, or, if not distributed, was used or consumed, for domestic purposes or the purposes mentioned in regulation 10(2)(a) during the year prior to the year in which the classification is made.

Category two supplies

10.—(1) For the purposes of this Part, subject to paragraph (2), a private supply is a category two supply if any water from the supply is supplied for food production purposes or is supplied for domestic purposes to premises used—

- (a) as a staff canteen or for the purposes of a business involving the preparation of food or drink for consumption on the premises;
- (b) as a hospital, nursing home, residential home, hostel, boarding school or other similar institution; or
- (c) as a camp site or a site for touring caravans or for the purposes of a business involving the provision of holiday or other short term accommodation.

(2) A private supply shall not be a category two supply where—

- (a) it is used for cleansing or cooling operations in connection with the processing of milk; and
- (b) if it were not for that use, it would be classified as a category one supply,

unless it would fall within class E in which case it shall be classified as a class 5 supply.

(3) Subject to paragraphs (2) and (4), category two supplies shall be divided into classes in accordance with the following Table by reference to the average daily volume of water supplied for domestic or food production purposes.

Table

<i>Class</i>	<i>Average daily volume of water supplied for domestic or food production purposes in m³/day</i>
1	>1,000
2	101 to 1,000
3	21 to 100
4	2 to 20
5	<2

(4) A private supply which is used solely–

- (a) for cleansing or cooling operations in connection with the processing of milk shall be classified as a class 5 supply; or
- (b) for washing crops and which does affect the fitness for consumption of any food or drink in its finished form shall be classified as a class 4 supply, unless the average daily volume supplied for those purposes is less than 2 m per day, in which case it shall be classified as a class 5 supply.

(5) Subject to regulation 11, references in this regulation to the average daily volume of water supplied for domestic or food production purposes are references to such volume (calculated as a daily average) as the local authority shall estimate was distributed or, if not distributed, was used or consumed, for those purposes from the supply during the year prior to the year in which the classification takes place.

(6) A local authority may for the purposes of this regulation estimate the average daily volume of water supplied for domestic purposes on the assumption that five persons use one cubic metre of water per day.

Classification of new or restored supplies

11. Where it appears to a local authority that a private supply is to be or is being used for the first time (or for the first time after being out of use for a period of twelve months or more), the authority shall, for the purpose of initially classifying the supply under regulation 9 or 10, estimate the number of persons supplied with water, and the average daily volume of water supplied, in relation to the current year rather than by reference to the year prior to it.

Review of classification of supplies

12. It shall be the duty of a local authority to review at least once in each year the classification of all the private supplies serving premises in their area.

Monitoring – general provisions

13.—(1) A local authority shall–

- (a) determine the times of the year and of the day when samples of water from a private supply are to be taken;
- (b) if a private supply serves a number of premises, select at random the premises at which samples are to be taken,

so as to ensure that, so far as is reasonably practicable, analysis of the samples will produce data which is representative of the quality of water from that supply.

(2) Samples are to be taken—

- (a) in relation to premises supplied with water for food production purposes, from a point immediately before the point where the supply is so used;
- (b) in relation to all other premises, at a tap used for supplying water for drinking or cooking.

(3) Where a local authority is required under the provisions of Schedule 3 or 4 to take more than one sample within a specified period, the samples shall be taken at regular intervals.

(4) A local authority shall, in accordance with paragraph (5), take and analyse a sample of water from any supply to which regulation 11 applies as soon as it becomes aware of its use or proposed use.

(5) The sample of water to be taken by virtue of paragraph (4) shall be in addition to any other sample required by these Regulations and shall be analysed for compliance with the prescribed concentrations or values for—

- (a) in the case of a class A, B, 1 or 2 supply, all the parameters listed in column (1) of Schedule 3;
- (b) in the case of a class C, D, E, 3, 4 or 5 supply, the parameters listed in column (1) of Part II of Schedule 4.

(6) It shall be the duty of a local authority to take samples of water from private supplies of classes C, D, E, 3, 4 and 5 serving premises in their area from time to time to ascertain and record the extent to which any pesticides and related products are present in those supplies.

(7) A local authority shall, at the request of a person who is a relevant person in relation to a private supply serving premises in its area, take and analyse a sample from the supply for compliance of the parameters specified by that person with the prescribed concentrations or values for those parameters.

Monitoring of class A, B, 1 and 2 supplies – standard sampling frequency

14. Subject to regulations 15 to 17, a local authority shall, in the case of a class A, B, 1 or 2 supply, take in each year not less than the standard number of samples specified in column (3) or, as the case may be, column (6) of Schedule 3 for each parameter listed in column (1) of that Schedule and shall analyse the samples for compliance with the prescribed concentrations or values for those parameters.

Reduced sampling frequency

15.—(1) Subject to paragraph (4), where—

- (a) a local authority sample in accordance with regulation 14 for three successive years and in each of those years the requirement mentioned in paragraph (2) is satisfied in relation to a parameter listed in column (1) of Part I or III of Schedule 3; and
- (b) the local authority is of the opinion that the concentration or value in respect of that parameter is unlikely to increase or, in the case of hydrogen ion, decrease to any significant extent in the next following year,

the number of samples to be taken in that year in respect of that parameter may be reduced to the frequency specified in column (2) or, as the case may be, column (5) of that Schedule in relation to that parameter.

(2) The requirement referred to in paragraph (1)(a) is that an analysis of each sample taken in relation to the parameter in question has established—

- (a) in the case of hydrogen ion, a pH value that is not less than 6.5 and not more than 8.5;

(b) in any other case, a concentration or value which is less than 50 per cent. of the prescribed concentration or value for that parameter.

(3) Where in accordance with paragraph (1) the number of samples to be taken in any year in respect of the conductivity or hydrogen ion parameter may be reduced to the frequency applicable for that parameter specified in column (2) or, as the case may be, column (5) of Schedule 3, the number of samples to be taken in that year in respect of the qualitative odour and qualitative taste parameters may be reduced to the same frequency.

(4) The preceding provisions of this Regulation shall apply in relation to the period ending on 31st December 1994 so that the reduced frequency of sampling may be adopted in that period in relation to a parameter if—

- (a) it would have been permissible if these Regulations had been in force throughout the period of three years mentioned in paragraph (1); or
- (b) the local authority did not sample as frequently as required by regulation 14 during the relevant period before these Regulations came into force but they are satisfied on the basis of a scientific assessment of the samples actually taken that the reduction is justified.

Increased sampling frequency

16.—(1) Subject to paragraph (2), where the analysis of any sample taken by a local authority has established in respect of any parameter listed in column 1 of Parts I to IV of Schedule 3 that the prescribed concentration or value for that parameter has been contravened, the sampling frequency for that parameter shall be increased—

- (a) for the remainder of that year, to the frequency specified in column (4) or, as the case may be, column (7) of that Schedule multiplied by the number of whole months in that period and divided by 12; and, where the result is not a whole number, rounded up to the nearest whole number;
- (b) for subsequent years, to the frequency so specified.

(2) If, for a whole year during the period in which the sampling frequency in respect of a parameter has been increased in accordance with paragraph (1), no sample exceeds the prescribed concentration or value for that parameter, the local authority may revert to sampling in accordance with regulation 14.

Additional provisions for class 2 supplies

17. A local authority shall in the case of a class 2 supply take a sample twice a month for all parameters listed in column (1) of Part V of Schedule 3 from the commencement of these Regulations until they are satisfied that the supply in question complies with the prescribed concentrations or values for the parameters specified in Table C when the authority may sample in accordance with regulation 14.

Monitoring of class C, D, E, 3, 4 and 5 supplies

18. A local authority shall, in accordance with Schedule 4, take samples in the case of a class C, D, E, 3, 4 or 5 supply and analyse them for compliance with the prescribed concentrations or values for the parameters specified in that Schedule in relation to that class of supply.

PART V

MISCELLANEOUS

Collection and analysis of samples

19.—(1) A local authority shall secure, so far as is reasonably practicable, that in taking, handling, transporting, storing and analysing or causing to be analysed any sample taken for the purposes of these Regulations, the appropriate requirements are satisfied.

(2) In paragraph (1) “the appropriate requirements” means such of the following requirements as are applicable—

- (a) that the sample is representative of the quality of the water at the time of sampling;
- (b) that the sample is not contaminated when being taken or subsequently;
- (c) that the sample is kept at such temperature and in such conditions as will secure that there is no material alteration of the concentration or value for the measurement or observation of which the sample is intended;
- (d) that the sample is analysed as soon as may be after the time it has been taken—
 - (i) by, or under the supervision of, a person who is competent to perform that task;
 - (ii) with the use of such equipment as is suitable for the purpose;
 - (iii) by applying such analytical systems and methods as are capable of establishing, within acceptable limits of deviation and detection, whether the sample contains concentrations or values which contravene the prescribed concentrations or values; and
- (e) that any laboratory at which samples are analysed has a system of analytical quality control that is subject from time to time to checking by a person who is—
 - (i) not under the control of either the laboratory or the authority; and
 - (ii) approved by the Secretary of State for that purpose.

(3) Within 28 days of the results of an analysis of any sample of a private supply taken from any premises being available to the local authority which took the sample, the authority shall notify the owner of those premises of the results of that analysis and any other relevant person who is to be charged for the taking and analysis of the sample from those premises under regulation 20(1).

Charges for sampling and analysis

20.—(1) Subject to the provisions of this regulation, a local authority may in respect of a private supply serving premises in its area charge any relevant person for expenses reasonably incurred by the authority for—

- (a) sampling a supply in accordance with these Regulations subject to a maximum charge of £50 per visit to any premises for that purpose; and
 - (b) the analysis of samples in accordance with these Regulations subject to the maximum charges set out in Schedule 5.
- (2) The power to charge mentioned in paragraph (1)—
- (a) includes a power to charge (whether or not any notice under section 80 of the Water Industry Act 1991 has been served) for the sampling and analysis of samples following the taking of remedial action in relation to any private supply;
 - (b) does not include a power to charge—

- (i) for the taking and analysis of any sample taken solely in order to confirm or clarify the results of the analysis of a previous sample; and
- (ii) in the case of a class C, D, E, 3, 4, or 5 supply, for the taking and analysis of any sample taken pursuant to regulation 13(6).

(3) Where in relation to any private supply there is more than one relevant person, the local authority shall, in determining who is to be charged under paragraph (1) and any apportionment of the charge, have regard to the terms (if any) on which the water is supplied and the purposes for which it is used.

Sampling and analysis by persons other than local authorities

21.—(1) Subject to paragraph (2), a local authority may enter into arrangements with—

- (a) a relevant person for the taking and analysis of samples in accordance with these Regulations on behalf of, but at no expense to, the authority; or
- (b) any other person for the analysis of samples in accordance with these Regulations on behalf of the authority (whether or not involving the authority in expense).

(2) A local authority shall only enter into arrangements under paragraph (1) if it is satisfied that the tasks will be carried out by, or under the supervision of, a person competent to perform them and otherwise in accordance with these Regulations.

(3) Arrangements under paragraph (1)(a) shall include a requirement for the results of any analysis to be sent to the local authority as soon as they are available.

Revocation of regulations

22. Regulation 8 of the Water Supply (Water Quality) Regulations 1989⁽²⁾, regulation 2(5) of the Water Supply (Water Quality) (Amendment) Regulations 1989⁽³⁾ and paragraph 7 of the Schedule to the Water Supply (Water Quality) (Amendment) Regulations 1991⁽⁴⁾ are revoked.

9th December 1991

Michael Heseltine
Secretary of State for the Environment

10th December 1991

David Hunt
Secretary of State for Wales

(2) [S.I. 1989/1147](#).
(3) [S.I. 1989/1384](#).
(4) [S.I. 1991/1837](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

EXERCISE OF POWERS

1. The powers conferred by sections 67 and 213(2) of the Water Industry Act 1991 are exercised—
 - (a) to the extent that they relate to the matters specified in section 67(2)(a) to (d), by the Secretary of State for the Environment and the Secretary of State for Wales jointly;
 - (b) to the extent that they relate to the matters specified in section 67(2)(e), by the Secretary of State for the Environment in relation to water supplied in England and by the Secretary of State for Wales in relation to water supplied in Wales; and
 - (c) to the extent that they relate to the matter specified in section 67(2)(f), by the Secretary of State for the Environment in relation to local authorities exercising functions in England and by the Secretary of State for Wales in relation to local authorities exercising functions in Wales.
2. The powers conferred by section 77(3) and (4) of that Act (and section 213(2) to the extent it relates to those subsections) are exercised by the Secretary of State for the Environment in relation to local authorities exercising functions in England and by the Secretary of State for Wales in relation to local authorities exercising functions in Wales.

SCHEDULE 2

Regulation 2(1)

PRESCRIBED CONCENTRATIONS OR VALUES

Table A

<i>Item</i>	<i>Parameters</i>	<i>Units of Measurement</i>	<i>Concentration or Value (maximum unless otherwise stated)</i>
1.	Colour	mg/1 Pt/Co scale	20
2.	Turbidity (including suspended solids)	Formazin turbidity units	4
3.	Odour (including hydrogen sulphide)	Dilution number	3 at 25°C
4.	Taste	Dilution number	3 at 25°C
5.	Temperature	°C	25
6.	Hydrogen ion	pH value	9.5
			5.5 (minimum)
7.	Sulphate	mg SO ₄ /1	250
8.	Magnesium	mg Mg/1	50
9.	Sodium	mg Na/1	150
10.	Potassium	mg K/1	12

Note: (i) If silver is used in a water treatment process, 80 may be substituted for 10.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Item</i>	<i>Parameters</i>	<i>Units of Measurement</i>	<i>Concentration or Value (maximum unless otherwise stated)</i>
11.	Dry residues	mg/l	1500 (after drying at 180°C)
12.	Nitrate	mg NO ₃ /l	50
13.	Nitrite	mg NO ₂ /l	0.1
14.	Ammonium (ammonia and ammonium ions)	mg NH ₄ /l	0.5
15.	Kjeldahl nitrogen	mg N/l	1
16.	Oxidisability (permanganate value)	mg O ₂ /l	5
17.	Total organic carbon	mg C/l	No significant increase over that normally observed
18.	Dissolved or emulsified hydrocarbons (after extraction with petroleum ether); mineral oils	µg/l	10
19.	Phenols	µg C ₆ H ₅ OH/l	0.5
20.	Surfactants	µg/l (as lauryl sulphate)	200
21.	Aluminium	µg Al/l	200
22.	Iron	µg Fe/l	200
23.	Manganese	µg Mn/l	50
24.	Copper	µg Cu/l	3000
25.	Zinc	µg Zn/l	5000
26.	Phosphorus	µg P/l	2200
27.	Fluoride	µg F/l	1500
28.	Silver	µg Ag/l	10(i)

Note: (i) If silver is used in a water treatment process, 80 may be substituted for 10.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Table B

<i>Item</i>	<i>Parameters</i>	<i>Units of Measurement</i>	<i>Maximum Concentration</i>
1.	Arsenic	µg As/l	50
2.	Cadmium	µg Cd/l	5
3.	Cyanide	µg CN/l	50
4.	Chromium	µg Cr/l	50
5.	Mercury	µg Hg/l	1
6.	Nickel	µg Ni/l	50
7.	Lead	µg Pb/l	50
8.	Antimony	µg Sb/l	10
9.	Selenium	µg Se/l	10
10.	Pesticides and related products: (a) individual substances	µg/l	0.1
	(b) (b) total substances(i)	µg/l	0.5
11.	Polycyclic aromatic hydrocarbons(ii)	µg/l	0.2

Note:

(i) The sum of the detected concentrations of individual substances.

(ii) The sum of the detected concentrations of fluoranthene, benzo 3.4 fluoranthene, benzo 1.12 fluoranthene, benzo 3.4 pyrene, benzo 1.12 perylene and indeno (1,2,3-cd) pyrene.

Table C

<i>Item</i>	<i>Parameters</i>	<i>Units of Measurement</i>	<i>Maximum Concentration</i>
1.	Total coliforms	number/100 ml	0
2.	Faccal coliforms	number/100 ml	0
3.	Faccal streptococci	number/100 ml	0
4.	Sulphite-reducing clostridia	number/20 ml	≤1(i)
5.	Colony counts	number/1 ml at 22°C or 37°C	No significant increase over that normally observed

Note: (i) Analysis by multiple tube method.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Table D(i)

<i>Item</i>	<i>Parameters</i>	<i>Units of Measurement</i>	<i>Maximum Concentration or Value</i>
1.	Conductivity	µS/cm	1500 at 20°C
2.	Chloride	mg Cl/l	400
3.	Calcium	mg Ca/l	250
4.	Substances extractable in chloroform	mg/l dry residue	1
5.	Boron	µg B/l	2000
6.	Barium	µg Ba/l	1000
7.	Benzo 3,4 pyrene	µg/l	10
8.	Tetrachloromethane	µg/l	3
9.	Trichloroethene	µg/l	30
10.	Tetrachloroethene	µg/l	10

Note: (i) See regulation 3(3)(d).

Table E

<i>Item</i>	<i>Parameters</i>	<i>Units of Measurement</i>	<i>Minimum Concentration(i)</i>
1.	Total hardness	mg Ca/l	60
2.	Alkalinity	mg HCO ₃ /l	30

Note: (i) See regulation 3(4).

SCHEDULE 3

Regulations 14 to 16

SAMPLING FREQUENCIES FOR CLASSES A, B, 1 AND 2

<i>Parameter</i>	<i>Sampling Frequency (number per annum)</i>			<i>Sampling Frequency (number per annum)</i>		
	<i>Class A and Class 1</i>			<i>Class B and Class 2</i>		
	<i>Reduced</i>	<i>Standard</i>	<i>Increased</i>	<i>Reduced</i>	<i>Standard</i>	<i>Increased</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)
PART I:						
Conductivity	6	12	24	4	6	12

Notes:

- (i) Increased or reduced sampling where permitted or required may be confined to the substance in question.
- (ii) The sum of the detected concentrations of fluoranthene, benzo 3,4 fluoranthene, benzo 1,1,2 fluoranthene, benzo 3,4 pyrene, benzo 1,1,2 perylene and indeno (1,2,3-cd) pyrene.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Parameter (1)	Sampling Frequency (number per annum) Class A and Class 1			Sampling Frequency (number per annum) Class B and Class 2		
	Reduced	Standard	Increased	Reduced	Standard	Increased
	(2)	(3)	(4)	(5)	(6)	(7)
Hydrogen ion	6	12	24	4	6	12
Odour (qualitative)	6	12	24	4	6	12
Taste (qualitative)	6	12	24	4	6	12
PART II:						
Odour (quantitative)	—	4	24	—	4	12
Taste (quantitative)	—	4	24	—	4	12
Turbidity	—	4	24	—	4	12
Temperature	—	4	24	—	4	12
Nitrate	—	4	24	—	4	12
Nitrite	—	4	24	—	4	12
Ammonium	—	4	24	—	4	12
Iron	—	4	24	—	4	12
Aluminium	—	4	24	—	4	12
Manganese	—	4	24	—	4	12
Colour	—	4	24	—	4	12
PART III:						
Trihalomethanes		4	12	1	4	12
Tetrachloromethanes		4	12	1	4	12
Trichloroethene		4	12	1	4	12
tetrachloroethene		4	12	1	4	12
Copper	1	4	12	1	4	12
Lead	1	4	12	1	4	12
Zinc	1	4	12	1	4	12
Pesticides and related products(i)	1	4	12	1	4	12
Notes:						
(i) Increased or reduced sampling where permitted or required may be confined to the substance in question.						
(ii) The sum of the detected concentrations of fluoranthene, benzo 3.4 fluoranthene, benzo 1.12 fluoranthene, benzo 3.4 pyrene, benzo 1.12 perylene and indeno (1,2,3-cd) pyrene.						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Parameter (1)	Sampling Frequency (number per annum) Class A and Class 1			Sampling Frequency (number per annum) Class B and Class 2		
	Reduced	Standard	Increased	Reduced	Standard	Increased
	(2)	(3)	(4)	(5)	(6)	(7)
Polycyclic aromatic hydrocarbons(ii)	1	4	12	1	4	12
PART IV:						
Chloride	—	1	12	—	1	12
Sulphate	—	1	12	—	1	12
Calcium	—	1	12	—	1	12
Magnesium	—	1	12	—	1	12
Sodium	—	1	12	—	1	12
Potassium	—	1	12	—	1	12
Dry residues	—	1	12	—	1	12
Oxidizability (permanganate value)	—	1	12	—	1	12
Total organic carbon	—	1	12	—	1	12
Boron	—	1	12	—	1	12
Surfactants	—	1	12	—	1	12
Phosphorus	—	1	12	—	1	12
Fluoride	—	1	12	—	1	12
Barium	—	1	12	—	1	12
Silver	—	1	12	—	1	12
Arsenic	—	1	12	—	1	12
Cadmium	—	1	12	—	1	12
Cyanide	—	1	12	—	1	12
Chromium	—	1	12	—	1	12
Mercury	—	1	12	—	1	12
Nickel	—	1	12	—	1	12
Antimony	—	1	12	—	1	12

Notes:

- (i) Increased or reduced sampling where permitted or required may be confined to the substance in question.
- (ii) The sum of the detected concentrations of fluoranthene, benzo 3.4 fluoranthene, benzo 1.12 fluoranthene, benzo 3.4 pyrene, benzo 1.12 perylene and indeno (1,2,3-cd) pyrene.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Parameter (1)	Sampling Frequency (number per annum) Class A and Class 1			Sampling Frequency (number per annum) Class B and Class 2		
	Reduced (2)	Standard (3)	Increased (4)	Reduced (5)	Standard (6)	Increased (7)
	Selenium	—	1	12	—	1
Total Hardness	—	1	12	—	1	12
Alkalinity	—	1	12	—	1	12
PART V:						
Total coliforms	—	24	—	—	12	24
Faecal coliforms	—	24	—	—	12	24
Residual disinfectant	—	24	—	—	12	24
Colony counts	—	24	—	—	12	24

Notes:

- (i) Increased or reduced sampling where permitted or required may be confined to the substance in question.
- (ii) The sum of the detected concentrations of fluoranthene, benzo 3.4 fluoranthene, benzo 11.12 fluoranthene, benzo 3.4 pyrene, benzo 1.12 perylene and indeno (1,2,3-cd) pyrene.

SCHEDULE 4

Regulation 18

SAMPLING FOR CLASSES C, D, E, 3, 4 AND 5

PART I
FREQUENCY

Class of Supply	Number of Samples ⁽¹⁾		
	Basic Parameters ⁽²⁾	Additional Parameters ⁽³⁾	Coliform Parameters ⁽⁴⁾
C	1	1	1
D	1	1	—
E ⁽⁵⁾	1	1	—
3	2 ⁽⁶⁾	2 ⁽⁶⁾	4 ⁽⁶⁾ (7)
4	2 ⁽⁶⁾	1 ⁽⁶⁾	—
5	—	—	1

Notes:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (1) Samples are to be taken each year except in the case of class E supplies (see note 5). If more than one sample is required, the samples must be taken on separate occasions.
- (2) The basic parameters are listed in column (1) of Part II of this Schedule.
- (3) The additional parameters are listed in column (2) of Part II of this Schedule. The local authority must sample for any additional parameters which they consider should be taken because of the characteristics of the locality or of the supply's distribution system.
- (4) The coliform parameters are total coliforms and faecal coliforms. Sampling for coliform parameters is additional to the coliform sampling carried out as part of sampling for basic parameters and must be carried out on separate occasions.
- (5) Class E supplies are to be sampled once for basic and additional parameters before 31st December 1994 unless—
 - (a) they have been sampled for those parameters during 1990 or 1991; and
 - (b) the local authority have reasonable grounds for believing that no change has occurred or is likely to occur which may cause the quality of the supply to deteriorate.
 From 1st January 1995 all class E supplies are to be sampled once every 5 years.
- (6) The sampling frequency should be halved if the premises served by the supply are used for not more than six months in the year.
- (7) In 1992, or in the first year in which the supply is used as a class 3 supply, 2 samples must be taken in the first two months of the year and 3 in the remainder of that year.

PART II PARAMETERS

<i>Basic parameters</i>	<i>Additional Parameters</i>		
(1)	(2)		
Hydrogen ion	Odour (quantitative)	Zinc	Fluoride
Conductivity	Taste (quantitative)	Polycyclic aromatic hydrocarbons ⁽⁴⁾	Barium
Total coliforms	Temperature		Silver
Faecal coliforms	Nitric	Chloride	Arsenic
Lead ⁽¹⁾	Ammonium	Sulphate	Cadmium
Nitrate ⁽²⁾	Iron	Calcium	Cyanide
Odour (qualitative)	Aluminium	Magnesium	Chromium
Taste (qualitative) ⁽³⁾	Manganese	Sodium	Mercury
Turbidity	Colour	Potassium	Nickel
	Trihalomethanes	Dry residues	Antimony
	Tetrachloromethane	Oxidazability (permanent value)	Selenium
	Trichloroethene		Total hardness

Notes:

- (1) Samples need not be analysed for lead if the local authority are satisfied that lead pipework or solder is not present in the plumbing of the property or that naturally occurring lead is not present in the water.
- (2) Samples need not be analysed for nitrate if the local authority are satisfied that nitrate levels in the locality concerned are below 25 mg NO₃/l.
- (3) Samples should not be assessed qualitatively for taste if the person taking the samples has any reason to suspect that the water may give rise to a health hazard.
- (4) The sum of the detected concentrations of fluoranthene, benzo 3.4 fluoranthene, benzo 11.12 fluoranthene, benzo 3.4 pyrene, benzo 1.12 perylene and indeno (1,2,3-cd) pyrene.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Basic parameters</i>	<i>Additional Parameters</i>		
(1)	(2)		
	Tetrachloroethene	Totl organic carbon	Alkalinity
	Copper	Boron	Residual disinfectant
		Surfactants	Colony counts
		Phosphorus	

Notes:

- (1) Samples need not be analysed for lead if the local authority are satisfied that lead pipework or solder is not present in the plumbing of the property or that naturally occurring lead is not present in the water.
- (2) Samples need not be analysed for nitrate if the local authority are satisfied that nitrate levels in the locality concerned are below 25 mg NO₃/l.
- (3) Samples should not be assessed qualitatively for taste if the person taking the samples has any reason to suspect that the water may give rise to a health hazard.
- (4) The sum of the detected concentrations of fluoranthene, benzo 3.4 fluoranthene, benzo 1.12 fluoranthene, benzo 3.4 pyrene, benzo 1.12 perylene and indeno (1,2,3-cd) pyrene.

SCHEDULE 5

Regulation 20(1)(b)

MAXIMUM CHARGES FOR SAMPLING AND ANALYSIS

<i>Class of supply</i>	<i>Parameters sampled and analysed</i>		<i>Maximum charge</i>
A, B, 1, 2	<i>Schedule 3:</i>		
	Part I		£20
	Part II		£40
	Part III		£270
	Part IV		£350
	Part V		£20
	All parameters		£700
C, D, E, 3, 4, 5	<i>Schedule 4:</i>		
	Basic parameters		£40
	Additional parameters	Odour (quantitative)	£30 for all or any of these parameters)
		Taste (quantitative)	
		Temperature	
		Nitrite	
		Ammonium	
		Iron	
		Aluminium	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Class of supply</i>	<i>Parameters sampled and analysed</i>	<i>Maximum charge</i>
	Manganese	
	Colour	
	Trihalomethanes	£50 (for all or any of these parameters)
	Tetrachloromethane	
	Trichloroethene	
	Tetrachloroethene	
	Copper	£15 (for both parameters or either of them)
	Zinc	
	Polycyclic aromatic hydrocarbons	£ (for both parameters or either of them)
	v	
	Benzo 3,4 pyrene	
	Chloride	£40 (for all or any of these parametrs)
	Sulphate	
	Calcium	
	Magnesium	
	Sodium	
	Potassium	
	Dry residues	
	Oxidizability	
	Total organic carbon	£20
	Boron	£40
	Surfactants	£40
	Phosphorus	£80 (for both parameters or either of them)
	Cyanide	
	Fluoride	£20 (for all or any of these parameters)
	Total hardness	
	Alkalinity	
	Barium	£100 (for all or any of these parameters)
	Silver	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Class of supply</i>	<i>Parameters sampled and analysed</i>	<i>Maximum charge</i>
	Arsenic	
	Cadmium	
	Chromium	
	Mercury	
	Nickel	
	Antimony	
	Selenium	
	Residual disinfectant	£15 (for both parameters or either of them)
	Colony counts	£20
	Coliform parameters	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supplement Chapter III (Quality and Sufficiency of Supplies) of Part III of the Water Industry Act 1991 (“the 1991 Act”). They are concerned with the quality of water supplied from private supplies in England and Wales for drinking, washing or cooking or for food production purposes. The Regulations come into force on 1st January 1992.

Parts II and III of these Regulations replace Parts II and III of the Water Supply (Water Quality) Regulations 1989 (as amended by the Water Supply (Water Quality) (Amendment) Regulations 1989 and 1991) as they apply to private supplies.

Effect is given in Part II of the Regulations in relation to private supplies to Article 7 of Council Directive [80/778/EEC](#) (OJNo. L229, 30.8.80, p. 11) which relates to the quality of water intended for human consumption. Part V of the Regulations give effect in relation to private supplies to paragraphs 1 to 4 of Article 12 (monitoring the quality of water intended for human consumption) of that Directive.

Part I (regulations 1 and 2) includes a definition of terms used in the Regulations.

Part II (regulation 3 and Schedule 2) prescribes standards of wholesomeness in respect of water from private supplies for drinking, washing or cooking or for food production purposes. In particular, it provides that water from private supplies is to be regarded as wholesome if it contains concentrations or values in respect of various properties, elements, organisms and substances which do not contravene prescribed maximum and, in some cases, minimum concentrations or values. They include the maximum admissible and minimum required concentrations and values specified in Annex 1 to Council Directive [80/778/EEC](#).

Part III (regulations 4 to 7) enables the Secretary of State or the appropriate local authority to relax the requirements of Part II. The circumstances in which relaxation is permissible are consistent with those specified in paragraphs 1 and 3 of Article 9 and paragraph 1 of Article 10 of Council Directive [80/778/EEC](#).

Part IV (regulations 8 to 18 and Schedules 3 and 4) provides for the classification of private supplies into category one supplies and category two supplies and for the monitoring of those supplies.

Category one supplies are all supplies used for supplying water for domestic purposes which are not category two supplies. Category two supplies are supplies used for food production purposes or for supplying water for domestic purposes to premises used—

- (a) as staff canteens or for the purposes of a business of preparing food or drink for consumption on the premises;
- (b) as hospitals, nursing homes, residential homes, hostels and boarding schools or similar institutions;
- (c) as camp sites or touring caravan sites or for providing holiday or short term accommodation.

In certain circumstances private supplies which are also used in connection with the processing of milk are classified as category one or category two supplies according to the volume of water from the supply distributed or, if not distributed, used or consumed.

Category one and category two supplies are divided into classes for monitoring purposes according to the estimated daily average volume of water distributed, or if not distributed, used or consumed from the supply. An additional consideration in relation to the division of category one supplies into classes is the estimated maximum number of people normally served by the supply on any one day.

Regulations 13 to 18 and Schedules 3 and 4 provide for the taking and analysis of samples of water from category one and category two supplies. The frequency of sampling and the parameters to be analysed vary according to the category and class of private supply.

Part V (regulations 19 to 22 and Schedule 5) prescribes requirements relating to the taking, handling, storage, transport and analysis of samples. It makes provision for local authorities to charge for sampling and analysis subject to certain limits and also provision for sampling and analysis by other persons on behalf of local authorities.

Provisions of existing Regulations which are replaced in relation to private supplies by Parts II and III of the Regulations are revoked (regulation 22).