
STATUTORY INSTRUMENTS

1991 No. 2790

The Private Water Supplies Regulations 1991

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.

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.