
STATUTORY INSTRUMENTS

2009 No. 3101

The Private Water Supplies Regulations 2009

PART 1

Water standards

Citation, application and commencement

1. These Regulations may be cited as the Private Water Supplies Regulations 2009; they apply in England and come into force on 1st January 2010.

Scope

2. These Regulations apply in relation to private supplies of water intended for human consumption; and for these purposes “water intended for human consumption” means—

- (a) all water either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, regardless of its origin and whether it is supplied from a distribution network, from a tanker, or in bottles or containers;
- (b) all water used in any food-production undertaking for the manufacture, processing, preservation or marketing of products or substances intended for human consumption.

Exemptions

3. These Regulations do not apply in relation to—

- (a) water controlled by the Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007⁽¹⁾;
- (b) water that is an authorised medicinal product; or
- (c) water used solely for washing a crop after it has been harvested and that does not affect the fitness for human consumption of the crop or of any food or drink derived from the crop.

Wholesomeness

4. Water is wholesome if all the following conditions are met—

- (a) it does not contain any micro-organism, parasite or substance, alone or in conjunction with any other substance, at a concentration or value that would constitute a potential danger to human health;
- (b) it complies with the concentrations or values specified in Part 1 of Schedule 1; and

- (c)
$$\frac{\text{nitrate (mg/l)}}{50} + \frac{\text{nitrite (mg/l)}}{3} \leq 1$$
in the water:

(1) [S. I. 2007/2785](#).

Use of products or substances in private supplies

5. Any product or substance used in a private supply after the coming into force of these Regulations must be a product or substance that would be permitted to be used in a water supply under regulation 31 of the Water Supply (Water Quality) Regulations 2000(2).

Requirement to carry out a risk assessment

6.—(1) A local authority must carry out a risk assessment within five years of the coming into force of these Regulations, and subsequently every five years (or earlier if it considers that the existing risk assessment is inadequate) of each private supply that supplies water to any premises (other than a supply to a single dwelling not used for any commercial activity).

(2) The risk assessment is to establish whether there is a significant risk of supplying water that would constitute a potential danger to human health.

(3) It must also carry out a risk assessment of a private supply to a single dwelling not used for any commercial activity if requested to do so by the owner or occupier of that dwelling.