
WELSH STATUTORY INSTRUMENTS

2017 No. 1041

The Private Water Supplies (Wales) Regulations 2017

PART 4

Notice procedure

Notices

20.—(1) If any private water supply constitutes a potential danger to human health, a local authority must serve a notice under this regulation on the relevant person instead of a notice under section 80 of the Act.

(2) The notice must—

- (a) identify the private water supply to which it relates;
- (b) specify the grounds for serving the notice;
- (c) prohibit or restrict the use of that supply;
- (d) specify what other action is necessary to—
 - (i) protect human health;
 - (ii) restore the wholesomeness of the private water supply;
 - (iii) maintain the continued wholesomeness of the private water supply following its restoration; and
- (e) specify the date by which the action required must be taken.

(3) The local authority must promptly inform consumers of the private water supply to which the notice relates and provide any necessary advice.

(4) The notice may be subject to conditions and may be amended by further notice at any time.

(5) The local authority must revoke the notice as soon as it becomes aware that there is no longer a potential danger to human health.

(6) It is an offence for a relevant person on whom a notice is served under this regulation to fail to comply with it.

(7) Where a relevant person (“P”) fails to take the action required by the date specified in a notice served under paragraph (1), the local authority which served the notice may take such action themselves.

(8) Where any action is taken by a local authority under paragraph (7) in relation to any premises—

- (a) the local authority may recover from P any expenses reasonably incurred by it in taking that action; and
- (b) where a person, other than the local authority, is liable to make payments to P, sums paid by virtue of sub-paragraph (a) are to be deemed to be expenses incurred in the taking of action by P.