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STATUTORY INSTRUMENTS

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**2009 No. 3101**

**The Private Water Supplies Regulations 2009**

**PART 2**

**Monitoring**

**Monitoring**

7. The local authority must monitor all private supplies in accordance with this Part when carrying out its duties under section 77(1) of the Water Industry Act 1991.

**Further distribution of supplies from water undertakers or licensed water suppliers**

8. Where water is supplied by a water undertaker or licensed water supplier and is then further distributed by a person other than a water undertaker or licensed water supplier the monitoring must be carried out on the basis of the risk assessment.

**Large supplies and supplies to commercial or public premises**

9. In the case of a private supply (other than that specified in regulation 8) that—

- (a) supplies an average daily volume of water of 10m<sup>3</sup> or more, or
- (b) supplies water to premises where the water is used for a commercial activity or to public premises,

the local authority must monitor in accordance with Schedule 2 and carry out any additional monitoring that the risk assessment shows to be necessary.

**Other private supplies**

10.—(1) In any other case other than a private supply to a single dwelling not used for a commercial activity, the local authority must monitor for—

- (a) conductivity;
- (b) enterococci;
- (c) *Escherichia coli* (*E. coli*);
- (d) hydrogen ion concentration;
- (e) turbidity;
- (f) any parameter in Schedule 1 identified in the risk assessment as being at risk of not complying with the concentrations or values in that Schedule; and
- (g) anything else identified in the risk assessment as a potential danger to human health.

(2) It must monitor at least every five years and more frequently if the risk assessment shows that this is necessary.

(3) In the case of a private supply to a single dwelling not used for a commercial activity a local authority may monitor the supply in accordance with this regulation, and must do so if requested to do so by the owner or occupier.

### **Sampling and analysis**

- 11.**—(1) When a local authority monitors a private supply it must take a sample—
- (a) if the water is supplied for domestic purposes, from a tap normally used to supply water for human consumption, and which, if there is more than one tap, is representative of the water supplied to the premises;
  - (b) if the water is used in a food-production undertaking, at the point at which it is used in the undertaking;
  - (c) if the water is supplied from a tanker, at the point at which it emerges from the tanker;
  - (d) in any other case at a suitable point.
- (2) It must then ensure that the sample is analysed.
- (3) Schedule 3 makes further provision for sampling and analysis.

### **Maintenance of records**

**12.** A local authority must make and keep records in respect of every private supply in its area in accordance with Schedule 4.

### **Notification of information**

**13.** By 30th June 2010, and by 31st January each following year, every local authority must send the Secretary of State a copy of the records in Schedule 4.