
WELSH STATUTORY INSTRUMENTS

2017 No. 1041

The Private Water Supplies (Wales) Regulations 2017

PART 3

Action in the event of failure

Investigation

- 18.**—(1) Where a local authority suspects that a private water supply fails to comply with—
- (a) the requirements of regulation 4, or
 - (b) the concentrations or values in Part 2 or Part 3 of Schedule 1 for an indicator parameter,
- it must carry out an investigation to establish the cause of the failure.
- (2) Once a local authority has carried out an investigation and established the cause of the failure, it must act in accordance with paragraphs (3) to (5).
- (3) If the cause of the failure is due to the distribution system within a domestic premises (whether or not the water is made available to the public in those premises) the local authority must promptly inform the people likely to be affected and offer them advice on measures necessary for the protection of human health.
- (4) In addition to the duty in paragraph (3) (where it applies), the local authority must act in accordance with paragraph (5) if the cause of the failure is due to—
- (a) the distribution system within domestic premises where water is made available to the public; or
 - (b) a distribution system not within domestic premises.
- (5) Where this paragraph applies, the local authority must—
- (a) if the water is a potential danger to human health and the conditions in regulation 20 are fulfilled, serve a notice under that regulation; or
 - (b) within 28 days of establishing the cause of the failure, and if appropriate remedial action has not been taken, serve a notice in accordance with section 80 of the Act (remedial powers of local authorities in relation to private supplies) unless the local authority grants an authorisation in accordance with regulation 19(2).
- (6) Where this regulation applies and a local authority's monitoring obligations in respect of the supply have previously been reduced (or otherwise varied) under Schedule 2 to these Regulations, such variation is to cease immediately and the standard frequencies outlined in Tables 2 and 3 in Schedule 2 must be reinstated.