***Local Authority Name* District Council**

**The Private Water Supplies (England) Regulations 2016 (SI 2016/618) (as amended)**

**Regulation 18 Notice**

Reference. ***Unique Reference***

1. To *Name of Relevant Person or Organisation*

 Of: *Full Address of Relevant Person or Organisation*

**Introduction**

1. This Notice by *Local Authority Name* District Council *Local Authority Address* (“the Council”) is made under the power in regulation 18 of the Private Water Supplies (England) Regulations 2016, as amended (“the 2016 Regulations”). It takes effect from 17 December 2019 and amends Notice ref. *previous reference.*
2. This Notice is served on you as the relevant person under Regulation 2(1) of the 2016 Regulations, in relation to the private water supply known as *the supply name*, *address of supply* (“the Supply”).
3. The Council is of the understanding that the Supply provides water intended for human consumption (as defined at Regulation 3 of the 2016 Regulations) to the properties below:
* Property 1 details
* Property 2 details
* …………etc
1. In the Council’s opinion, the Supply constitutes a potential danger to human health on the grounds that the Supply:
2. contains, from time to time, Arsenic in excess of Part [1 or 3] of Schedule 1 to the 2016 Regulations;

**Restriction of the Supply**

1. The Council requires you, *Name of relevant person or organisation*, within 3 days of service of this Notice to restrict the Supply.
2. For that purpose, you are required to restrict the Supply by:
3. advising consumers of the Supply not to drink the water intended for human consumption (as defined at Regulation 3 of the 2016 Regulations); and
4. provide all consumers of the Supply with an alternative wholesome water supply.
5. **The Supply must remain restricted until the Council is satisfied that that the Supply is no longer a potential danger to human health. As soon as the Council becomes aware the Supply is no longer a potential danger to human health this notice must be revoked in writing.**

**Further actions**

1. The Council also requires you, *Name of relevant person or organisation*, to comply - within the timeframes stated - with the following conditions which, in the Council’s opinion, are necessary to protect human health and to restore the wholesomeness of the water supply:
2. Within 3 days of service of this Notice take all reasonable steps to ensure that all consumers of the Supply are made aware of the contents and advice in this Notice. Such reasonable steps include, as a minimum:
	* 1. Displaying this Notice in a prominent place, such as the Parish Notice Board, so that its contents and advice can be seen by all consumers of the Supply until the Council considers that there is no longer a potential danger to human health. You, as the relevant person, must inform the Council when and where the Notice is displayed within 7 days of the date of this Notice.
		2. Providing the Council with the addresses of any property served by the Supply, to assist the Council in discharging its obligations under the 2016 Regulations.
3. Within 60 days install an appropriate treatment system to remove or reduce the arsenic concentrations to within the specified limits in the 2016 Regulations.
4. Within 21 days of service of this notice demonstrate to the Council how you will mitigate the potential danger to human health by providing:
	* 1. A report from a suitably and properly qualified competent person, whose competency has been agreed by the Council. The report must: (a) identify the treatment process; and (b) demonstrate the capability of the treatment system to achieve a wholesome supply of water in accordance with regulation 4 of the 2016 Regulations.
		2. A schedule of works within the report detailing the precise nature of the works to be carried out to achieve a wholesome supply (“the Schedule of Works”).
5. Upon submission of the Schedule of Works and the report referred to paragraph (c) above, and subject to the Council’s agreement, you must complete the remedial works in accordance with the Schedule of Works within 60 days.
6. Any product or substance used in a private supply must be a product or substance that would be permitted to be used in a water supply under regulation 5 of the 2016 Regulations and in accordance with the Drinking Water Inspectorate Guidance.
7. The Council has the power to amend this Notice, including extending the deadline(s) specified herein. If you wish to request that a deadline(s) be extended, you must contact the Council’s Authorised Officer at least 10 working days before the relevant specified deadline. Contact details for the Council’s Authorised Officer can be found at the end of this Notice. A request to extend the deadline does not constitute an appeal against this Notice.

**Offence and penalty**

1. **If you fail to comply with the terms of this Notice you are committing a criminal offence under Regulation 20 of the 2016 Regulations and are liable to either:**
2. **on summary conviction, a fine or a term of imprisonment not exceeding 3 months or both; or**
3. **on conviction on indictment, a fine or a term of imprisonment not exceeding 2 years or both.**

**Appeal**

1. Any person who is aggrieved by this Notice may appeal to the Magistrates' Court under Regulation 19 of the 2016 Regulations. On an appeal, the Court may either cancel the Notice or confirm it, with or without modification. If you wish to appeal, you must appeal within 28 days of service of this Notice.
2. If you decide to appeal against the Notice, the Notice will remain in force unless suspended by the Court.
3. Appeals should be made to the Magistrates’ Court, *The Magistrates Court, Address, Postcode*.

1. If you are unclear about your obligations under this Notice and/or your right to appeal, you may wish to seek independent legal advice. For all other queries, please contact the Council’s Authorised Officer on the details below.

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| Signature: |  | Date: |
| Name in capitals:  |  |  |
| Designation: |  |  |
| Address |  |  |
| Telephone: |  |  |
| Email: |  |  |