**[name] District Council**

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

**Regulation 18 Notice**

Reference.

1. To Name of relevant person

Of:

**Introduction**

1. This Notice by [Name] District Council [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 [insert date] [and amends Notice (ref. XXXX)/supersedes all previous Notices served on you under regulation 18 of the 2016 Regulations].
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 [Name of supply], [address in here] (“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 [OR], which are attached to this Notice [either list below the properties which are affected or attach list of properties at end of notice]..
4. In the Council’s opinion, the Supply constitutes a potential danger to human health on the grounds that the Supply [amend as necessary]:
5. contains, from time to time, [state the parameter] in excess of Part [1 or 3] of Schedule 1 to the 2016 Regulations; and/or
6. has been identified by a regulation 6 risk assessment as a risk that would constitute a potential danger to human health through [state here the reason, e.g. grazing animals at the source, ingress to tanks, contamination of source].

**[Restriction/Prohibition] of the Supply**

1. The Council requires you, [Name of relevant person], within [state the number] days of service of this Notice to [restrict/prohibit] the Supply.
2. For that purpose, you are required to [restrict/prohibit – amend this part of the notice as appropriate] the Supply by:
3. advising consumers of the Supply to boil the water/not to drink the water [amend as necessary] intended for human consumption (as defined at Regulation 3 of the 2016 Regulations); and/or
4. provide all consumers of the Supply with an alternative wholesome water supply.
5. **The Supply must remain [restricted/prohibited] 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], 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 [state the number ] 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 [state the number, for example 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. [*Delete/amend as appropriate*] Within [state the number of days] [Install an appropriate treatment system to remove or reduce the [parameter] to within the limits in the 2016 Regulations] [ implement source protection measures (*specify if possible*)] [repair tanks, pipework, equipment etc/connect the properties on the Supply to the public mains water supply].
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 the reservoir] (“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 [state the number of days, of the service of this notice] 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. [this paragraph should be omitted where it is not relevant]]
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 Courthouse address].

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: |  |  |