



PRIVATE WATER SUPPLIES – CASE STUDY 2019/01

Identification of a Regulation 8 supply and successful joint working

When drinking water is discoloured, consumers will almost always contact their water company as clearly such water is not suitable for consumption. Whilst it is part of normal business for a company to respond by investigating the cause, less frequent, but by no means unusual, is that such investigations discover the supply is not the responsibility of the water company, has cross connections or is constructed with unsuitable materials by today's standards. In August 2019, the Inspectorate was notified by a water company of an event involving the issue of 'Do Not Drink' advice to an agricultural college in Worcestershire. This arose following a report of brown water being supplied for several days. The company's investigation found that the cause of the discoloured water was the result of an untreated private water supply being illegally cross connected to the college's public supply from a private supply which was being used to irrigate crops. Furthermore, the company discovered that there was an onward supply to other houses and additionally that the piping material was older black pipe made of a material called alkathene.

In their investigation of this event the water company recognised that some additional properties downstream of the college were also affected by discoloured water. It was suspected that these were being supplied via a private water supply commonly known as an onward-distribution system, or regulation 8 private water supply, as the consumers affected were not customers of the water company. For (water company), which is then further distributed by a person (in this case, the college) other than a water company or licensed water supplier. The company duly informed the local authority's environmental health department of this supply as the local authority is the regulator of private water supplies. Although those affected by the discolouration included consumers on a regulation 8 private water supply, the water company nevertheless took a responsible action to protect all concerned by providing temporary 'Do not Drink' advice whilst their investigations were being conducted. Their investigations also included sampling from the regulation 8 supply properties as well as at the college. This temporary advice was rescinded later once the cause of the discolouration had been mitigated.

In December 2019, the local authority confirmed to the Inspectorate that they had acknowledged that the supply arrangements to these properties did constitute a regulation 8 private water supply and that they had added it to their private water supplies records, in accordance with regulation 14 of the private water supplies regulations. They had not yet undertaken a risk assessment at this time, but a site visit had been planned for January 2020. The most common risks posed by these types of supplies relate to contraventions of The Water Supply (Water Fittings) Regulations 1999, which are enforced by water companies. These regulations apply to regulation 8 private

water supplies because they comprise a physical connection to the public supply network.

Some of the samples taken from the properties on the regulation 8 supply by the water company identified an odour described as “pencil.” This was not present in any of the samples taken at the college. The odour was attributed to the likely presence of alkathene pipework, which was believed to constitute either part or the whole of the private supply network. It has long since been established that alkathene plastic pipes will produce a “pencil” odour within the water. The presence of this abnormal odour indicates that water supplied to consumers is unwholesome, in contravention of regulation 4(1) of the private water supplies regulations. In the case of the regulation 8 supply the local authority was obliged to take action in accordance with regulation 16 of the regulations

Regulation 16 (3) requires local authorities to investigate the cause and promptly inform those people likely to be affected. They must also offer them advice on measures necessary for the protection of health, which in this case the local authority did do, by instructing them to flush the tap before use.

In January 2020, the company's water fittings Inspector met with the local authority and resolved the onward supply by transferring each of the households onto a new dedicated meter supply pipe connected directly to the water company distribution network.

This case study illustrates how a regulation 8 supply, previously unknown to a local authority, will typically come to light, i.e. through water company investigations following reports of an abnormal taste, odour or appearance. In these instances, any newly identified regulation 8 supply must be added to local authority records.

This case study also shows good working practices between water companies and local authorities. Here, both parties worked in an effective collaborative manner to protect consumers and ensured that they discharged the duties for which they are accountable under the respective public and private water supply regulations.