

REGULATION 8 SUPPLIES

WORKED EXAMPLES

Regulation 8 of the Private Water Supply Regulations creates a special type of private supply where the water originates from a supply main owned by a water undertaker or licensed water supplier and is then further distributed by a person other than the water undertaker or licensed water supplier.

The three basic principles of a Regulation 8 supply are:

1. The origin of the water supply to the primary premises is a public water supply main and a person or organisation associated with the primary premises is confirmed by the water company as a water company customer.
2. The water company customer then further distributes water to other persons for use on other premises (secondary premises).
3. The owners (or occupiers if subsequently rented out) of the secondary premises are not customers of the water company.

A situation which is **not** a Regulation 8 supply is one where several premises are supplied with mains water by means of a single supply pipe that is jointly the responsibility of the owners of all the premises. This is a public water supply situation known as a common supply pipe.

Another situation which is **not** a Regulation 8 supply is where someone rents a property, mobile home or caravan from a premises owner and the premises owner is a water company customer. A single large premises (such as a business park, shopping centre) comprised of either several buildings or several units all located inside one building, can appear on the water company billing database as either a single customer (premises owner or managing agent of the whole site) or as a series of individual customers (occupiers of different buildings/units).

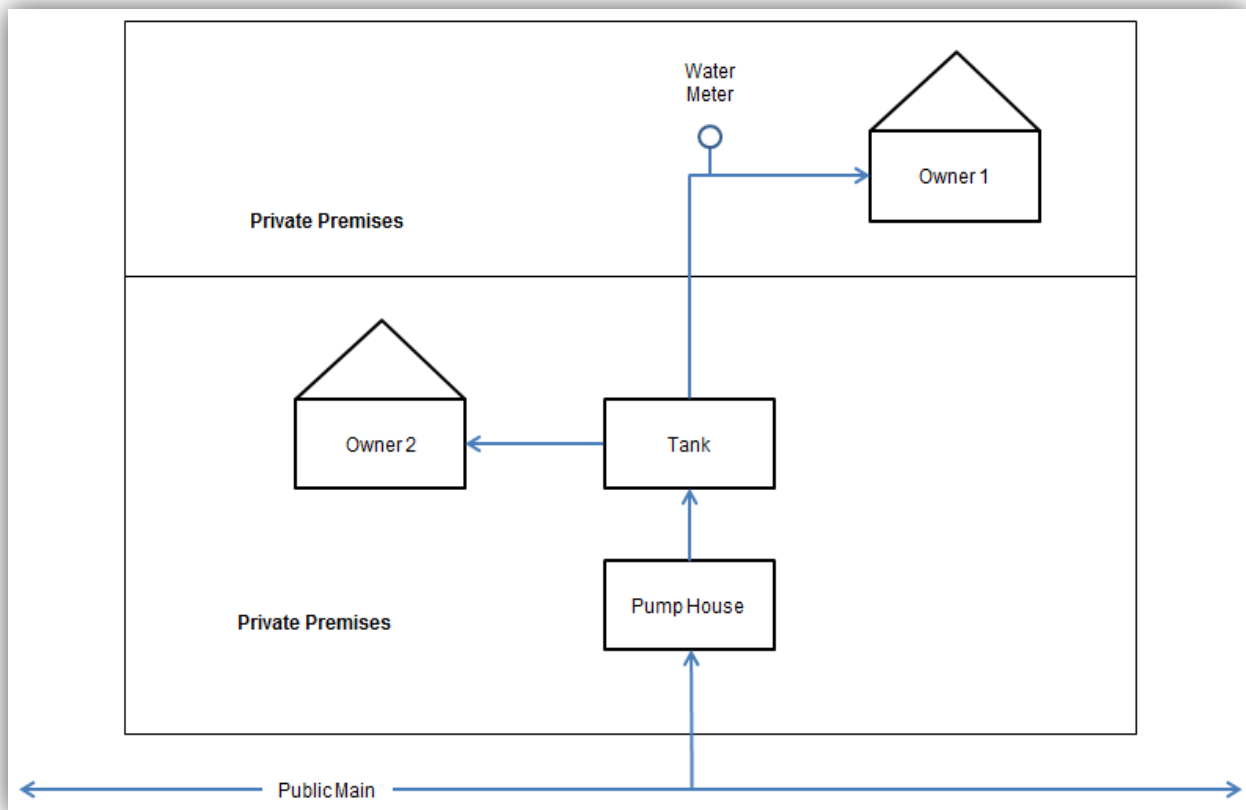
These premises are unlikely to constitute a Regulation 8 supply. The following examples are also **unlikely** to be a Regulation 8 supply situation:

- caravan sites where there is a single owner of the overall site
- small industrial parks where there are several different businesses occupying individual units on one premises
- A hotel premises with outbuildings and/or a marquee used for temporary events, such as weddings, conferences or meetings
- Airports and ports where there is a single owner of the whole site
- University, college or school where there is a single owner of the whole site
- Rural estate where all the buildings and homes are in the ownership or management of the estate

However, it should be noted that in relation to any of the above examples, a Regulation 8 situation might exist or could arise as a consequence of the sale of a parcel of land or building (but not the whole premises). The exact situation can only be determined case by case.

The Inspectorate has developed a selection of fictional scenarios to highlight the challenges faced when trying to identify supplies that may or may not fall into Regulation 8.

SCENARIO 1



Background Information

- The water is supplied from a public main
- Owner 2 is a water company customer and charges Owner 1 for water based on the readings from the water meter.
- The tank is owned by Owner 2
- Both Owners have shared responsibility of the pump house under a covenant agreement
- Owner 1 pays a small charge to Owner 2 for the maintenance of the supply

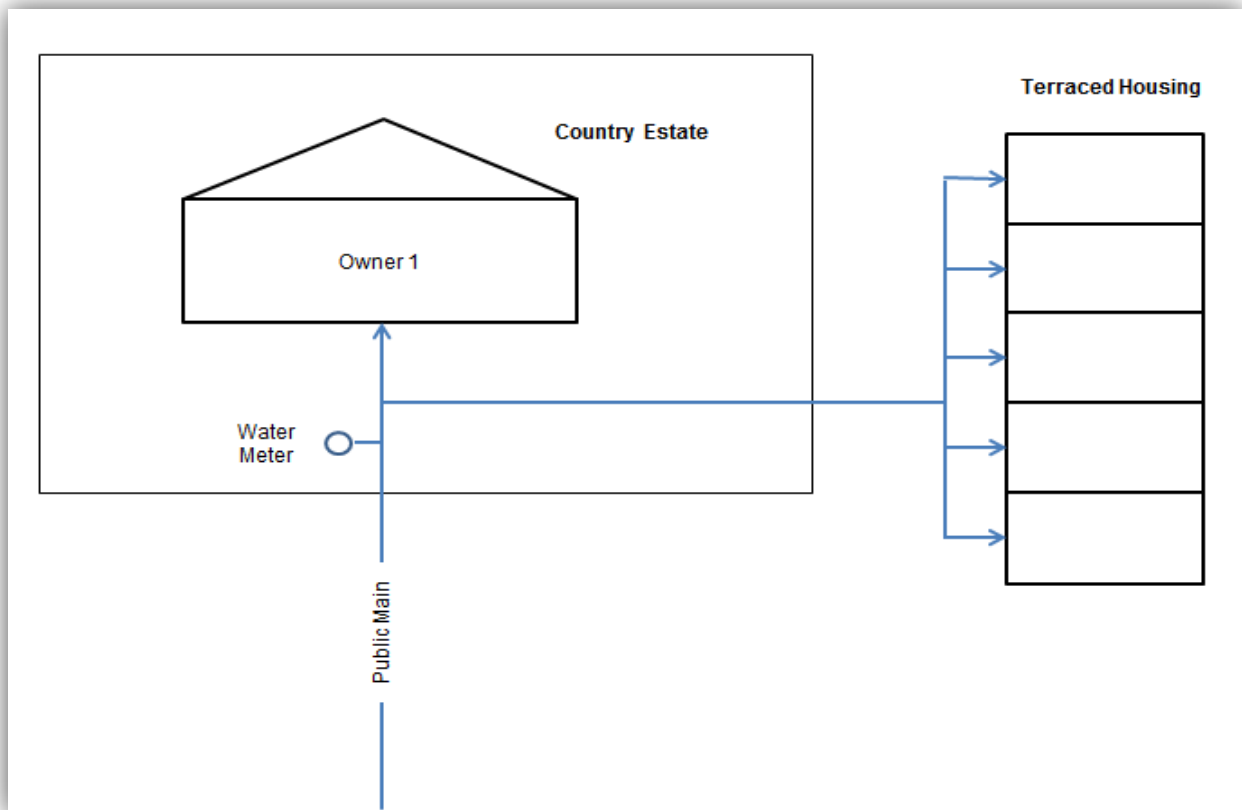
Does the Supply meet the 3 criteria defining a Regulation 8 Supply?

1. Is the water supply from a public main?
✓ **Yes, the water is supplied from a public main**
2. Is the water distributed to other premises?
✓ **Yes, the water is distributed to secondary premises**
3. Is the occupier of the other premises not a customer of the water company?
✓ **Yes, Owner 1 is not a water company customer. He/she pays their water bill to Owner 2**

Is the Supply a Regulation 8 Supply?

The supply meets the 3 criteria that define a Regulation 8 supply and therefore it constitutes a Regulation 8 supply.

SCENARIO 2



Background Information

- The water is supplied from a public main
- Owner 1 owns a block of terraced houses and rents them out
- Owner 1 pays an overall water bill to the water company and then charges each tenant based on their individual meter readings

Does the Supply meet the 3 criteria defining a Regulation 8 Supply?

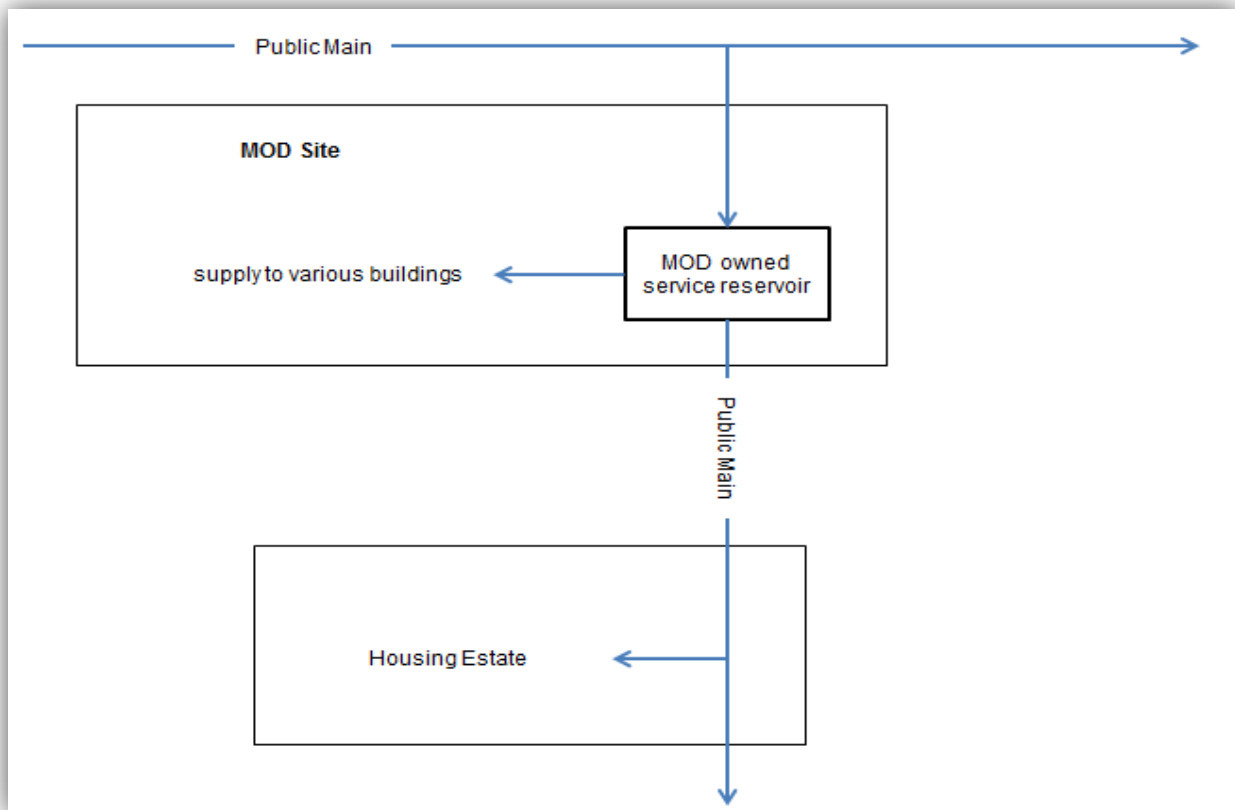
1. Is the water supply from a public main?
✓ **Yes, the water is supplied from a public main**
2. Is the water distributed to other premises?
✗ **No, because the terraced housing does not constitute a secondary premises. Although the tenants of the houses are not water company customers, they are on land that belongs to the owner of the country estate, who pays a single bill to the water company for all water consumed. Therefore the public supply is not being further distributed beyond a primary premises.**
3. Are the occupiers of the other premises not customers of the water company?
✓ **Yes, the occupiers of the terraced houses are charged by Owner 1**

Is the Supply a Regulation 8 Supply?

The supply does not meet the 3 criteria that define a Regulation 8 supply as the water is not distributed to another premises, which is in separate ownership.

It therefore does not constitute a Regulation 8 supply

SCENARIO 3



Background Information

- The water is supplied from a public main
- The service reservoir is owned by the MOD
- The housing estate is built on land that was sold off by the MOD
- All properties on the housing estate are water company customers

Does the Supply meet the 3 criteria defining a Regulation 8 Supply?

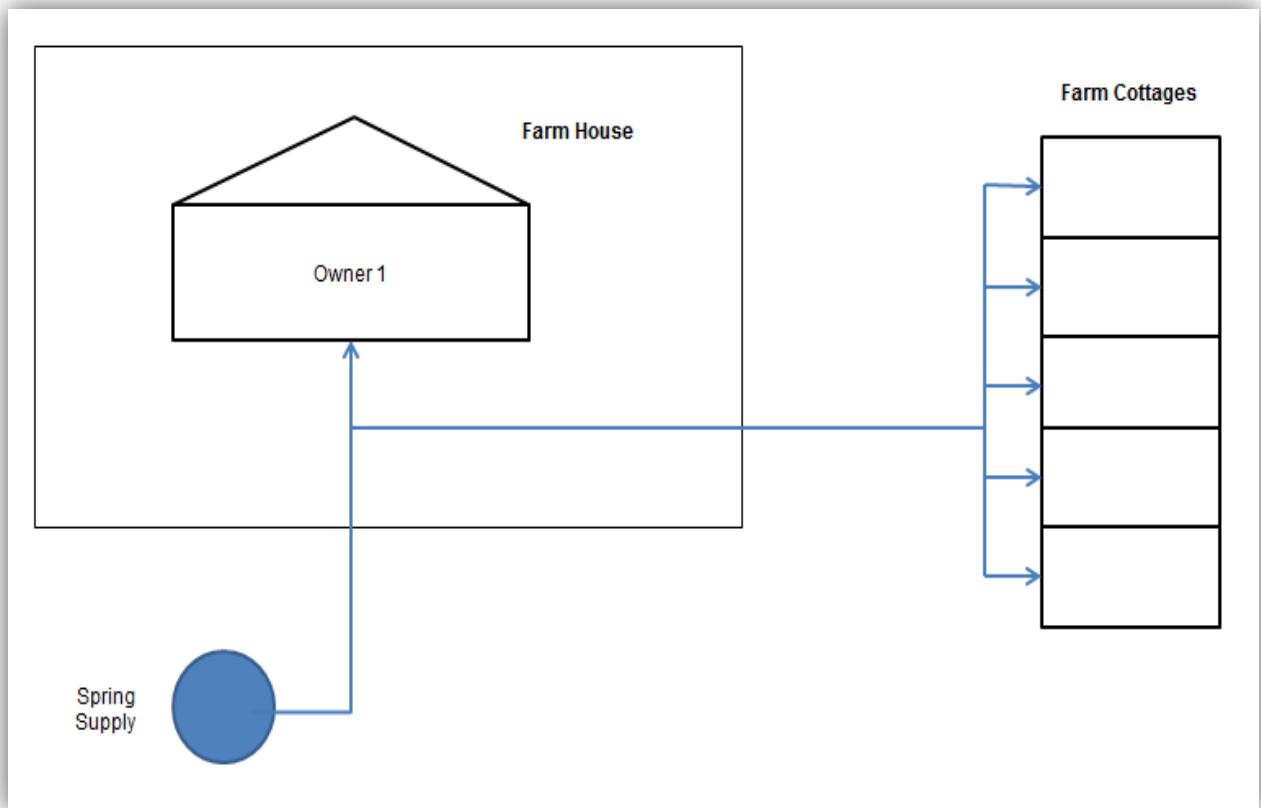
1. Is the water supply from a public main?
✓ **Yes, the water is supplied from a public main**
2. Is the water distributed to other premises?
✓ **Yes, the water is further distributed from the service reservoir to the housing estate, which is a secondary premises.**
3. Are the occupiers of the other premises not customers of the water company?
* **No, as the land was sold off by the MOD. The consumers living in the housing estate are customers of the water company.**

Is the Supply a Regulation 8 Supply?

The supply does not meet the 3 criteria that define a Regulation 8 supply as the customers living in the housing estate are water company customers.

It is therefore not classified as a Regulation 8 supply

SCENARIO 4



Background Information

- The water is supplied from a spring supply source
- The Farm Cottages have been sold off by the owner of farm and are owned by the occupier of each cottage
- The occupiers of the cottages are charged a fixed annual fee for water based on local water company rates

Does the Supply meet the 3 criteria defining a Regulation 8 Supply?

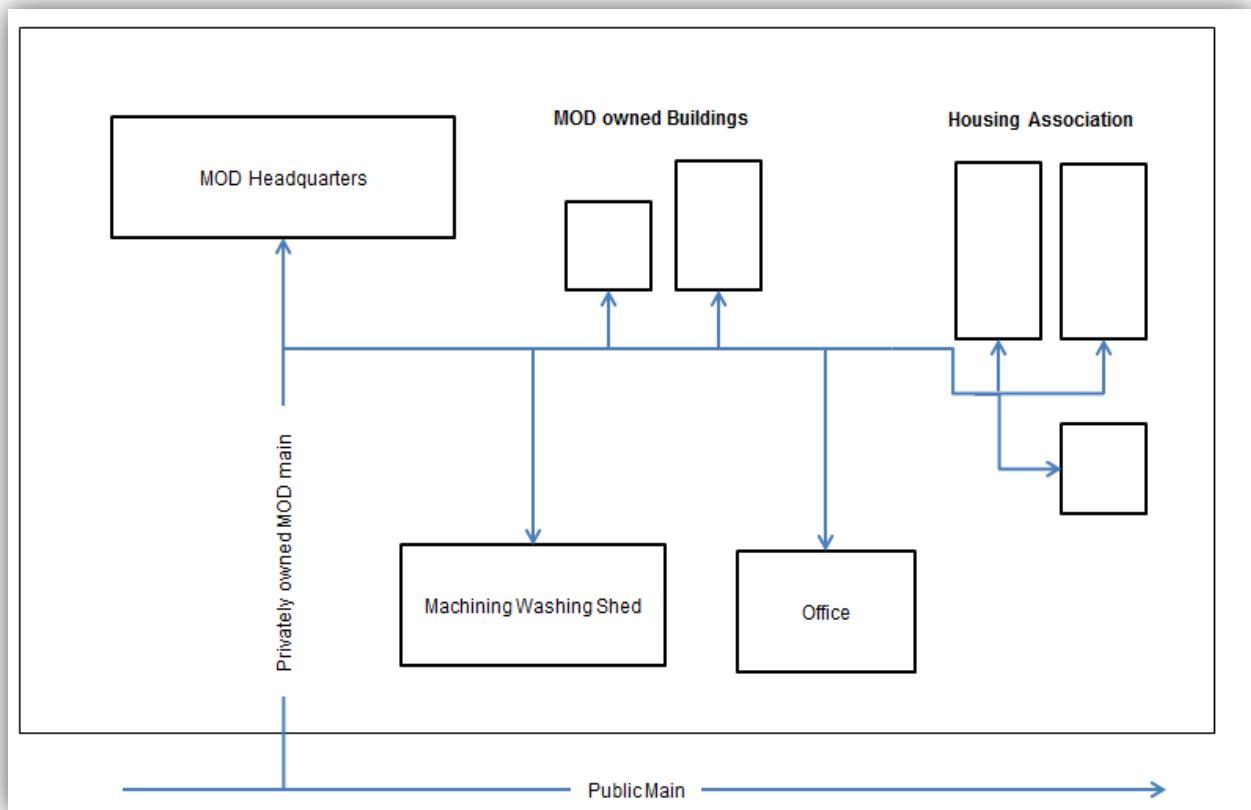
1. Is the water supply from a public main?
✗ **No, the water is from a private supply source**
2. Is the water distributed to other premises?
✓ **Yes, the water is further distributed to the farm cottages, which are secondary premises.**
3. Are the occupiers of the other premises not customers of the water company?
✓ **Yes, the individual cottage owners are not customers of the water company as they are charged by the owner of the farm.**

Is the Supply a Regulation 8 Supply?

The supply does not meet the 3 criteria that define a Regulation 8 supply as the supply is from a private spring source

It therefore does not constitute a Regulation 8 supply

SCENARIO 5



Background Information

- The water is supplied from a public main
- The properties in the top right hand corner used to belong to the MOD but are now owned by the Housing Association
- These properties are not billed for their water by the water company
- All other buildings are owned by the MOD

Does the Supply meet the 3 criteria defining a Regulation 8 Supply?

1. Is the water supply from a public main?
✓ **Yes, the water is supplied from a public main**
2. Is the water distributed to other premises?
✓ **Yes, the water is further distributed to the properties, which is on land owned by the Housing Association (and therefore a secondary premises) through the MOD water main.**
3. Are the occupiers of the other premises not customers of the water company?
✓ **Yes, the properties owned by the Housing Association do not pay their water bills to the water company.**

Is the Supply a Regulation 8 Supply?

Whilst the properties owned by the MOD are not served by Regulation 8 supply, the properties owned by the Housing Association do meet the 3 criteria that define a Regulation 8 supply and therefore this does constitute a Regulation 8 supply.