

## **Annex B**

### **Extract from the Guidance;**

The Legislative Background to the Private Water Supply Regulations. The Technical Manual, Section 9 [England and Wales]". (Section 2.5.1.1 and 2.5.1.2)

- 2.5.1.1 This regulation makes provision for local authorities to charge fees for carrying out certain duties under the Regulations. The fees are set out in Schedule 5 of the Regulations. This schedule allows a local authority to charge a fee which is the reasonable cost of carrying out the service (activity) up to a specified maximum. The maximum fees the local authority can charge are set out in Table 6 below.

The Local Authority can only charge the reasonable cost of providing the service. This should reflect the time taken to carry out the work so activities relating to small supplies are likely to require less time and the charges be considerably less than for large or complex supplies. Where information on the supply is more readily available this may assist the local authority and may reduce the time spent on the risk assessment. The charge can be based on an hourly rate and/or a flat rate but should be decided at a local (authority) level based on these principles. The local authority should only charge the maximum fee where the actual time on site, carrying out the assessment and related administration time, amounts to (or exceeds) this maximum. Charges may vary between local authorities, based on local circumstances such as a larger geographical district and spread of private water supplies.

Where a Regulation 18 notice has been served and its requirements fully complied with (e.g. improvement works have been completed), the local authority must revoke a notice as soon as there is no longer a potential danger to human health. To do this authorities will need to check that any improvement measures have been appropriately completed (e.g. by physical inspection) and may need to conduct verification sampling to confirm the effectiveness of these measures. This would not be considered part of the investigation and would therefore be a separate sampling visit. This visit may be combined with a

routine audit or check monitoring visit to minimise the costs involved.

- 2.5.1.2 The maximum fee of £500 for a risk assessment is intended to allow a range of charges (up to this maximum figure) to reflect the wide variety of circumstances of private water supplies and their sources. A risk assessment for a large supply with a raw water source from a large catchment area with numerous potential sources of pollution could be quite complicated and time consuming, so the actual cost of carrying it out the assessment could approach £500. However, a risk assessment of a small supply from a secure ground water source is much less complicated and time consuming and the reasonable cost should be a fraction of £500. The cost of audit monitoring for the full suite of parameters could approach £500. However, local authorities are allowed to exclude parameters from audit monitoring if certain conditions are met (see Section 9(E).2.3.3 of this guidance) so that the actual cost (i.e. the amount that can be recharged) of audit monitoring should be considerably less than £500.