

# WATER INDUSTRY ACT 1991

## The Water Undertakers (Information) Direction 2004

The Secretary of State for Environment, Food and Rural Affairs in relation to water undertakers appointed by her, acting in exercise of the powers conferred on her by section 202 of the Water Industry Act 1991(a), hereby directs water undertakers as follows:

### Citation

1. This Direction may be cited as the Water Undertakers (Information) Direction 2004.

### Interpretation

- 2.—(1) In this Direction:—

“the 2000 Regulations” means the Water Supply (Water Quality) Regulations 2000(b);

“the relevant authority” means the Secretary of State for Environment, Food and Rural Affairs.

(2) Terms used in this Direction have, unless the contrary intention appears, the same meaning as in the 2000 Regulations.

(3) Health authority means Primary Care Trust.

(4) Unless otherwise stated, any information required by this Direction shall be provided electronically in the format specified in DWI Information Letter 6/03.

### Annual provision of information

3. On or before 28th February 2004 and in each subsequent year in respect of information pertaining to that year, each water undertaker shall provide the relevant authority with the following information—

(a) in respect of each water supply zone:—

(i) the designation of the zone;

(ii) an estimate of the number of people residing within the zone; and

(iii) the names of each local authority and each health authority whose area in whole or part is included within the zone;

(b) in respect of each water treatment works:—

(i) the designation of the works and the national grid reference;

(ii) whether the source of water treated by the works is groundwater, surface water or a mixture of the two;

(iii) an estimate of the average daily volume of water supplied from the works in cubic metres/day; and

(iv) the designation of the service reservoirs and water supply zones served by the works and an estimate of the volume of water supplied annually to each reservoir and zone;

(c) in respect of each service reservoir:—

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(a) 1991 c.56.

(b) S.I.2000/3184, amended by S.I.2001/2885.

- (i) the designation of the service reservoir, the National Grid Reference and the capacity of the service reservoir (in megalitres); and
- (ii) the designation of the water supply zones served by the reservoir;
- (d) in respect of each authorised supply point:–
  - (i) the designation of the authorised supply point, the National Grid Reference and the volume of water supplied (in cubic metres/day); and
  - (ii) the designation of the water supply zones served by that point.

#### **Provision of maps**

4.—(1) On or before 28th February 2004 and in each subsequent year in respect of information pertaining to that year, each water undertaker shall provide the relevant authority with a map or maps in at an appropriate scale (ideally 1:50,000) and marked with the location of each water treatment works and service reservoir and the boundaries of each water supply zone.

(2) Each treatment works, service reservoir and water supply zone located on a map or an associated data file shall be designated with a name or number.

#### **Provision of monthly information on drinking water quality**

5.—(1) On or before the 21st March 2004 in respect of the results of all compliance samples taken in January 2004 and thereafter on the 21st day of each month in respect of the results of all compliance samples taken during the antepenultimate month, each water undertaker shall provide the relevant authority with the following information:–

- (a) in respect of each water supply zone: the number of samples required and the number of samples taken under Part IV of the 2000 Regulations;
- (b) in respect of each sample taken under Part IV of the 2000 Regulations in each water supply zone:–
  - (i) the designation of the water supply zone;
  - (ii) the date and time the sample was taken;
  - (iii) the post code or National Grid Reference of the location from which the sample was taken;
  - (iv) the result of each analysis for each parameter listed in Schedule 1 and Schedule 2 of the 2000 Regulations; and
  - (v) whether an authorisation under Part VI of the 2000 Regulations applied to the water supply zone;
- (c) in respect of each supply point: the number of samples required and the number of samples taken under Part IV of the 2000 Regulations;
- (d) in respect of each sample taken under Part IV of the 2000 Regulations at each supply point:–
  - (i) the designation of the supply point;
  - (ii) the date and time the sample was taken;
  - (iii) the result of each analysis for each parameter listed in Schedule 1 and Schedule 2 of the 2000 Regulations; and
  - (iv) whether an authorisation under Part VI of the 2000 Regulations applied to the supply point;
- (e) in respect of each water treatment works: the number of samples required and the number of samples taken under Part V of the 2000 Regulations;
- (f) in respect of each sample taken under Part V of the 2000 Regulations at each water treatment works–
  - (i) the designation of the water treatment works;

- (ii) the date and time the sample was taken;
  - (iii) the result of each analysis for each parameter listed in Schedule 1 of the 2000 Regulations; and
  - (iv) whether an authorisation under Part VI of the 2000 Regulations applied to the water treatment works;
- (g) in respect of each service reservoir: the number of samples required and the number of samples taken under Part V of the 2000 Regulations;
- (h) in respect of each sample taken under Part V of the 2000 Regulations at each service reservoir:—
- (i) the designation of the service reservoir;
  - (ii) the date and time the sample was taken;
  - (iii) the result of each analysis for each parameter listed in Schedule 1 of the 2000 Regulations; and
  - (iv) whether an authorisation under Part VI of the 2000 Regulations applied to the service reservoir.

**Provision of monthly information relating to compliance with the 2000 Regulations**

6. On or before the 21st March 2004 in respect of the results of all compliance samples taken in January 2004 and on the 21st day of each subsequent calendar month in respect of the results of all compliance samples taken during the antepenultimate month, each water undertaker shall, in respect of any samples taken under Parts IV and V of the 2000 Regulations in relation to its area during that month, which exceeded the prescribed concentrations or values of any parameter listed in Schedule 1 or the specification of any indicator parameter listed in Schedule 2, provide the relevant authority with a report of the exceedence, identifying—

- (a) the parameter concerned;
- (b) the result and the extent to which the prescribed concentration or value or specification was exceeded;
- (c) details of the investigations carried out under Part VI of the 2000 Regulations; and
- (d) whether the results exceeded an authorisation under Part VI of the 2000 Regulations.

**Provision of information - events, incidents, emergencies etc.**

7.—(1) A water undertaker shall notify the relevant authority of—

- (a) the occurrence of any event which, by reason of its effect or likely effect on the quality or sufficiency of water supplied by it, gives rise or is likely to give rise to a significant risk to the health of persons to whom the water is supplied. This will include any event notified by a water undertaker to a local authority and health authority under the provision of regulation 35 of the 2000 Regulations;
- (b) any other matters relating to the supply of water which:—
  - (i) in the opinion of the undertaker, is of national significance; or
  - (ii) has attracted or, in the opinion of the undertaker, is likely to attract significant local or national publicity; or
  - (iii) has caused or, in the opinion of the undertaker, is likely to cause significant concern to persons to whom water is supplied;
- (c) any reports of disease in the community which it appears might possibly be associated with a water supply.

(2) The notification required by this paragraph shall be given:—

- (a) as soon as may be after the event or matter has come to the undertaker's attention, by telephone or other appropriate means to such official in the Department for Environment,

Food and Rural Affairs as shall have been notified to the water undertaker for that purpose; and

- (b) no later than three working days after compliance with sub-paragraph (a), in writing (including fax or electronic mail) addressed to the relevant authority.

(3) The notification in writing shall include—

- (a) particulars of the event or matter;
- (b) an assessment of the effect or likely effect on the quality or sufficiency of water supplied by the water undertaker;
- (c) an estimate of the population affected and whether particularly sensitive water users such as hospitals, schools, food manufacturers etc are affected;
- (d) such information as may be available as to the cause or likely cause of the event or matter;
- (e) particulars of the action taken or proposed to be taken in relation to the event or matter to inform and protect customers and to rectify the situation, and an estimate of when supplies are likely to be back to normal;
- (f) a list of the persons (other than customers of the undertaker) notified of the event or matter, and a copy of any notices issued to customers and to the press as respects the event or matter; and
- (g) the number of customers of the undertaker who complained about the quality of their water supply and the names, addresses and telephone numbers of all such complainants or where there are more than 50 complainants, of the first 50 complainants.

(4) Within 20 working days of the date of the notification in writing, or such longer period as may in any case be agreed with the relevant authority, the water undertaker shall submit a report relating to the event or matter and containing:—

- (a) such information as is necessary to supplement the information given in accordance with paragraph (2)(b);
- (b) if samples were taken in connection with the event or matter, particulars of the time at which the samples were taken, the places from which the samples were taken and the results of the analysis of the samples;
- (c) a copy of any report or advice provided to the water undertaker by its medical, scientific or technical advisers, any local authority or any health authority;
- (d) an assessment of the effectiveness of the action taken in respect of the event or matter and of the adequacy of arrangements for liaison with the local authority, the health authority, the Environment Agency, the emergency services and the public as the case may be;
- (e) a statement of any lessons learned and of any the proposals, if any, for further action identified by the undertaker as being necessary or desirable in the light of the event or matter; and
- (f) such other information relating to the event or matter which the undertaker considers relevant.

#### **Provision of information relating to compliance with regulations 35(4) and 36**

**8.**—(1) Each water undertaker shall notify the relevant authority in writing within seven days of it complying with regulation 35(4) of the 2000 Regulations of the fact it has complied. (A copy of the information is not required.)

(2) Each water undertaker shall, within seven days of it complying with regulation 36(3) of the 2000 Regulations, inform the relevant authority of the date on which it complied and send a copy of the report prepared by it for the purpose of regulation 36(1).

**Provision of annual information on consumer complaints about drinking water quality**

9. On or before the 21st March 2005, in respect of consumer complaints about drinking water quality received by the water undertaker during 2004, and thereafter on the 21st March of each year, each water undertaker shall, in respect of any complaints about drinking water quality received from any of its consumers during the previous calendar year, provide the relevant authority with a report of the complaint identifying:-

- (a) the nature of the complaint; and
- (b) the designation of the water supply zone from which the complaint originated.

**Provision of general information on the steps taken to inform consumers about drinking water quality**

10. On or before the 21st March 2005, in respect of general information on drinking water quality provided by the water undertaker during 2004, and thereafter on the 21st March of each year, each water undertaker shall, in respect of any general information on the quality of drinking water supplied to its consumers by that water undertaker, provide the relevant authority with a report identifying:-

- (a) the nature and frequency of issue of the information; and
- (b) the parameters and aspects of water quality covered by the information.

**Revocation of the Water Undertakers (Information) Direction 1998**

11. The Water Undertakers (Information) Direction 1998 is revoked from 1 July 2004.

Signed by authority of the Secretary of State

*Name*



16 January 2004

Head of Water Supply & Regulation Division  
Department for Environment, Food and Rural Affairs