

# Information note on Regulation 10 (Wales)



Regulation 10 applies to private water supplies used for domestic purposes that serve exclusively single dwellings (SDs), where:

- the single dwelling is NOT rented out as part of a tenancy agreement, or as holiday accommodation.
- the water is not used as part of a commercial or public activity

Regulation 10 supplies include:

- Supplies to SDs that are provided as part of a job, where the occupants of the property have special rights of occupation and maintenance that are akin to ownership, e.g. tied cottage, lifetime tenancy/occupation rights (e.g. servant housing).
- Agricultural tenancies where the provision of a SD for accommodation is not the primary purpose of the tenancy, but residence at the SDD is generally long term with maintenance obligations akin to ownership.
- SD used as foster homes – in these cases financial compensation is provided rather than payment (provision of a home rather than a service). Water supplied for domestic purposes to the SD does not form part of a commercial activity because fostering is primarily the provision of a home.

## **Supplies to SDs where child minding takes place takes place**

Supplies to SDs where a child minding business operates usually are classified as regulation 9 supplies, as the water is being used as part of a commercial/public activity. Where child minding is offered for free, or as a family arrangement), Regulation 10 does apply.

## **Monitoring and risk assessment**

Regulation 10 supplies do not require a local authority to carry out regular monitoring and/or risk assessment at frequencies defined in the regulations, but a local authority may monitor in accordance with regulation 11(1) if it wishes to do so. However, sampling and analysis, and/or risk assessment must be carried out by the local authority (or a body deemed competent by the local authority) when it is requested to do so by the dwelling owner or occupier. Local authorities may charge the relevant person(s) a fee for these activities, but this must not exceed the regulatory maximum

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(Regulation 23) in accordance with schedule 6 of the Water Supplies regulations (Wales) 2017 to cover their costs.