

Information note on Regulation 17



Regulation 17 (Authorisations of different standards)

Regulation 17 makes provision for any relevant person to apply to the local authority for an authorised departure – that is, to supply water of a different standard on a temporary basis while longer term remedial action is taken as part of an agreed and timed programme of work.

The local authority may issue authorisations of different prescribed concentrations or values subject to the conditions specified in regulation 17(2). This includes that the only cause of the unwholesome water is that a parameter in Table B in part 1 of Schedule 1 is not complied with. In making an authorisation, the local authority must consult all water users of the supply who will be affected by it, and UKHSA, and in so doing, take account of their views.

A local authority must NOT make an authorisation if by so doing it causes a potential danger to human health.

An authorisation must require the applicant to take action over a period of time to ensure that the relevant parameters are complied with. This must meet the requirements of regulation 17 (3) (a) to (h), and includes the duration of the authorisation. This must be as short as possible and in any event must not exceed 3 years. The local authority must keep the remedial work under review throughout the duration.

If necessary, the local authority may grant a second authorisation for up to a further 3 years with the prior consent of the Inspectorate. Consent must be sought at least 6 months before the intended start of the second authorisation.

The local authority may revoke or amend an authorisation at any time.

A local authority considering granting an authorised departure **should approach the Inspectorate for advice on the specific case under consideration.**