



WATER INDUSTRY ACT 1991

NOTICE UNDER SECTION 80

To Carlton Parish Council

In relation to Carlton Village Private Water Supply

Notice of Insufficiency of a private water supply

North Yorkshire Council

("the Council") HEREBY GIVE YOU NOTICE, under section 80 of the Water Industry Act 1991 ("the Act"), that by reason of blockage of pipes and inadequate and exposed water pipe connections at Melbecks, it appears to the Council that the supply of water (for domestic and food production purposes) to all premises on the Carlton Village Water Supply is likely to fail to provide a supply of wholesome water as is sufficient for domestic purposes if immediate remedial work is not undertaken

and that the following remedial steps are required to be taken, namely:

1. Replace the narrow water pipes that transfer water from Melbecks to the collection chamber with suitable wide bore pipe(s) that meet the requirements of The Water Supply (Water Fittings) Regulations 1999.
2. Any connectors on this pipe are to be approved water pipe connections that meet the requirements of The Water Supply (Water Fittings) Regulations 1999.

of which **YOU ARE REQUIRED** to take the step(s) numbered above within a period of 35 days from the date of service of this Notice on you.

This Notice and the remedial steps above are subject to the enclosed conditions.

This section 80 Notice is subject to the following conditions:

1. This Notice must be either displayed in a prominent place where the consumers (relevant persons) can view it or a copy given to all the relevant persons or an equivalent method used to ensure all the relevant persons can view a copy of the notice, as agreed by the Council. You, as the relevant person, must inform the officer named on this notice when and how this communication will occur and this should be completed within 7 days of the service of the Notice.
2. Provide the Council, within 10 days, your action plan and time scales for completion of these works.
3. This action plan must detail the nature of the remedial works required to the supply. Subject to the Council agreeing to the proposed works these remedial works must be completed within 35 days of the service of the Notice.
4. Any product or substance used in a private water supply must comply with Regulation 5(1) of the Private Water Supplies (England) Regulations 2016 (as amended).
5. The Council makes it a condition of this Notice for the relevant person(s) to provide information about the supply and consumers of the supply, to assist the Council in discharging its obligations under the 2016 Regulations. The information required being the dwelling names and addresses, the number of occupants (to allow the Council to estimate the volume of water supplied), commercial/food premises, or Bed and Breakfast premises, etc.

Any representations or objections with respect to this Notice must be received by the Council within a period of **28** days after the date of service on you of this Notice. Subject to the provisions of section 81(2) and (3) of the Act, this Notice will not take effect until the end of that period. The provisions of section 81(2) and (3) of the Act are set out in the enclosed appendix.

If you fail to take the steps(s) specified above within the period so specified, the Council may take such step(s) itself, in which case the Council may recover from you any expenses reasonably incurred by the taking of such steps(s)]

Dated 3rd June 2024

Signed: 

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Section 81(2), (3) and (4) of the Water Industry Act 1991

Section 81(2) of the Act provides that where any written representation or objection is received by the Council within the period specified above, this notice shall not take effect unless:

- a) the notice is submitted by the Council to the Secretary of State and is confirmed by him either with or without modifications; or
- b) the representation or objection is withdrawn.

Section 81(3) of the Act provides that if the Notice is submitted to the Secretary of State for confirmation, the Secretary of State:

- a) Shall consider whether the Notice should be confirmed and if so, whether it should be confirmed with or without modifications;
- b) May direct the Council to serve the Notice (or modified Notice) on any relevant person who has not previously been served with such a notice;
- c) May, for the purposes of paragraph (a) or (b) above, cause a local inquiry to be held or afford to the Council and to every person who has made representations or objections with respect of this Notice or any modified notice or any proposed direction under paragraph (b) above, an opportunity of appearing before and being heard by a person appointed by the Secretary of State for this purpose; and
- d) If he is satisfied that the person served a notice under paragraph (b) above has had a proper opportunity of having their representations or objections considered, he may dispense, in relation to the notice so served, with the provisions of section 81(1) and (2) and of section 80(2)(c) and (d).

Section 81(4) of the Act provides that where the Secretary of State confirms a notice (with or without modifications), he, or if he so directs the Council, shall serve notice of that confirmation on every person originally served with the Notice under Section 80 and that notice shall take effect, with any modifications made by the Secretary of State, at such time as may be specified in the notice served under this subsection (4).

ACCOMPANYING NOTE

The Council has the power to amend the Notice, including extending the deadline(s) specified in the Notice. If you wish to extend the deadline(s) you must contact the Council's Authorised Officer at least 5 working days before the relevant specified deadline. Contact details for the Council's Authorised Officer can be found at the end of the Notice. A request to extend the deadline does not constitute a representation or objection with respect to the Notice.