

## NORTH LANARKSHIRE COUNCIL

## REPORT

To: ENVIRONMENTAL SERVICES COMMITTEE	Subject: Water(Scotland) Act, 1980 West Of Scotland Water Authority - Request For Relaxation.
From: DIRECTOR OF ENVIRONMENTAL SERVICES	
Date: 16th March, 1998. Ref: DC/MD	

**REPORT DECISION**

To agree not to make any adverse representations to the Secretary of State for Scotland on West of Scotland Water Authority's request for relaxations in terms of the above Act.

**REPORT**

- 1) A letter has been received from the West Of Scotland Water Authority (WOSWA) giving details of revised undertakings which it has submitted to the Secretary Of State in accordance with the provision of the Water (Scotland) Act, 1980 as amended by the Water Act, 1989. It has also submitted an application for revised Relaxations of water quality standards in accordance with the provisions of the Water Supply (Water Quality) (Scotland) Regulations 1990. The treatment works affected in North Lanarkshire, the proposals and associated completion dates are shown in Appendix 1 to the report.
- 2) The legislation requires the water authority to serve copies of such applications on the Council in whose area is situated any premises in relation to which an authorisation is sought. The letter referred to herein fulfils WOSWA's obligation in this respect.

No formal provision is made in the legislation for a Council to object to any such applications, and consequently there is no mention of any timescale, but presumably the Council may make some representations to the Secretary of State, should it so desire.

The Undertakings and Schedule of Relaxations submitted by WOSWA have been formulated after reviewing the quality of water supplied by it during 1997 and in the light of the progress achieved on its agreed programme of remedial works.

- 3) Relaxations of the standards specified in the aforementioned Regulations may be applied for and authorised by the Secretary of State if he is satisfied :
  - (a) that the authorisation is necessary, as an emergency measure, to maintain a supply of water for human consumption;
  - (b) that the authorisation is called for by reason of exceptional meteorological conditions; or

(c) /—

- (c) that the authorisation is called for by reason of the nature and structure of the ground in the area from which the supply emanates.

Undertakings are proposed and maybe accepted where failure to meet the water quality standards exists, or is potentially possible, due to a failure on the part of the Water Authority i.e. WOSWA.

- 4) Examination of sample results indicate that only a very small percentage of samples have failed to meet the required bacteriological standard and that these failures have occurred only in random distribution samples i.e. fittings in houses or other premises outwith the control of the Water Authority. All follow-up samples which were taken at these points after sterilisation of the fittings had been ensured proved to be satisfactory thereby indicating that the water supply did indeed meet the required bacteriological standard.
- 5) The undertakings to the Secretary of State giving the reason that the bacteriological standards are not being met at certain treatment works do not indicate a history of sample failures but merely reflect the potential for microbiological contamination due to the absence of adequate filtration plant at the listed treatment works.

Members should be aware that the acceptance by the Secretary of State of an undertaking with its associated completion date ensures that the necessary capital funding for the project is committed and cannot be withdrawn.

- 6) The department has no adverse observation to make in connection with WOSWA's application but will continue to monitor the quality of the water supply in accordance with its sampling programme to fulfill the Councils obligation under the Acts.

### **Recommendation**

It is recommended that no adverse representations are made to the Secretary of State for Scotland on West of Scotland Water Authority's request for relaxation in terms of the above Act.

*N'Kenzie L. Hutton*

DETAILS OF

REVISED UNDERTAKING SUBMITTED IN

ACCORDANCE WITH SECTION 76E(4)(b)

OF THE WATER (SCOTLAND) ACT 1980

AS AMENDED BY THE WATER ACT 1989

AND

REVISED RELAXATIONS IN ACCORDANCE WITH

REGULATION 4(1)(C) OF THE

WATER SUPPLY (WATER QUALITY) (SCOTLAND) REGULATIONS 1990

**WEST OF SCOTLAND WATER**  
**UNDERTAKING FOR THE PURPOSES OF SECTION 76E(4)(b)**  
**OF THE WATER (SCOTLAND) ACT 1980**  
**AS AMENDED BY THE WATER ACT 1989**

THIS UNDERTAKING is given by the West of Scotland Water Authority ("the Authority") incorporated by the Local Government etc (Scotland) Act 1994 and having its Headquarters at 419 Balmore Road, Glasgow G22 6NU.

WHEREAS:-

- (a) The Authority is a water authority in terms of Section 3 of the Water (Scotland) Act 1980 ("the Act");
- (b) Section 8 of the Act requires every water authority supplying water to any premises for domestic purposes to supply only water which is wholesome at the time of supply;
- (c) The Water Supply (Water Quality) (Scotland) Regulations 1990 ("the Regulations") prescribe, for the purposes of determining the wholesomeness of water, requirements as to the concentrations or values of properties, elements, organisms and substances to be present in or absent from such water;
- (d) The Authority requires to give an Undertaking to the Secretary of State for Scotland ("the Secretary of State") in terms of Section 76E(4)(b) of the Act, in order to secure or to facilitate compliance with the Regulations;

NOW THEREFORE THE AUTHORITY HEREBY UNDERTAKES TO THE SECRETARY OF STATE as follows:-

1. Subject to the following provisions of this Undertaking, the Authority shall carry out, or procure the carrying out of, the works or other measures specified in Column 5 ("STEPS TO BE TAKEN") of the thirteen page Schedule annexed and signed as relative to this Undertaking.

2. The Authority undertakes to secure that each of the steps shown in Column 5 of the Schedule is completed on or before the respective dates specified in Column 7 of the Schedule ("COMPLETION DATES"), provided that if, after the giving of this Undertaking, the Authority has good reason to believe that -

- (a) It will be unable to secure the completion of any steps shown in the Schedule on or before the relevant completion date by reason of any acts, omissions or events not reasonably within the Authority's control; or
- (b) In the light of engineering or other advice received after the date of this Undertaking, it is expedient to make modifications to the technical specification of any steps shown in the Schedule;

the Authority shall forthwith deliver to the Secretary of State a proposed new Undertaking, signed on behalf of the Authority, in the form of this Undertaking, but modified so as to include the revised completion date or the proposed modification or both, as the case may be, and such proposed new Undertaking shall, if accepted by the Secretary of State signing and dating a letter of acceptance thereof, have effect from the date of acceptance as a new Undertaking replacing this Undertaking.

3. If, in relation to any zone specified in Column 1 ("SUPPLY ZONE") of the Schedule, the Authority achieves compliance, otherwise than by means of the specified steps, with any requirements of the Regulations with which the Authority has failed to comply, the Authority shall notify the Secretary of State in writing and this Undertaking shall cease to apply insofar as it relates to that zone and insofar as the Secretary of State is satisfied that compliance is likely to be maintained and so notifies the Authority.

SIGNED on behalf of the Authority by Ernest Chambers, Chief Executive.

Signature Ernest G.W. Chambers

Date 12 February 1958

## WATER SUPPLY (WATER QUALITY) (SCOTLAND) REGULATIONS 1990

UNDERTAKING RELATIVE TO SECTION 76E (4) (b) OF THE WATER (SCOTLAND) ACT 1980  
STEPS TO BE TAKEN BY WEST OF SCOTLAND WATER AS THE WATER AUTHORITY

## CLYDE EAST DISTRICT

SUPPLY ZONE	TREATMENT WORKS	ZONE POPULATION	NATURE OF CONTRAVENTION	STEPS TO BE TAKEN	START DATE	COMPLETION DATE
Airdrie (North)	Balmore (ESWA) Daer	26533	THM standard not met.	Arrangements made with ESWA to install appropriate treatment.	1990	1999
Airdrie (South) Calderbank Coatbridge (South)	Balmore (ESWA) Daer	15612	THM standard not met.	Arrangements made with ESWA to install appropriate treatment.	1990	1999
Allanton & Shotts	Daer Camps	17905	Bacteriological standard not met.	New Treatment Works at Camps.	1994	1998
Baillieston	Balmore (ESWA) Milngavie	16335	Bacteriological standard not met.  THM standard not met.	Appropriate Treatment to be installed at Milngavie. Arrangements made with ESWA to install appropriate treatment at Balmore.	1994  1990	2005  1999
Bellshill, Mossend Holytown	Balmore (ESWA) Daer	43894	THM standard not met.	Arrangements made with ESWA to install appropriate treatment. at Balmore.	1990	1999
Caldercruix & Plains	Balmore (ESWA) Daer	6848	THM standard not met.	Arrangements made with ESWA to install appropriate treatment.	1990	1999
Coatbridge	Balmore (ESWA) Daer	44851	THM standard not met.	Arrangements made with ESWA to install appropriate treatment.	1990	1999
Lenzie, Millerston Muirhead, Stepps	Balmore (ESWA) Milngavie	20867	Bacteriological standard not met.  THM standard not met.	Appropriate treatment to be installed at Milngavie. Arrangements made with ESWA to install appropriate treatment at Balmore.	1994  1990	2005  1999
Motherwell (North)	Balmore (ESWA) Daer Coulter	20140	THM standard not met.  Bacteriological standard not met.	Arrangements made with ESWA to install appropriate treatment. New Treatment Works at Coulter	1990  1999	1999  2001

**UNDERTAKING RELATIVE TO SECTION 76E (4) (b) OF THE WATER (SCOTLAND) ACT 1980  
STEPS TO BE TAKEN BY WEST OF SCOTLAND WATER AS THE WATER AUTHORITY**

**CLYDE EAST cont'd**

<b>SUPPLY ZONE</b>	<b>TREATMENT WORKS</b>	<b>ZONE POPULATION</b>	<b>NATURE OF CONTRAVENTION</b>	<b>STEPS TO BE TAKEN</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>
<b>Motherwell (Central &amp; South) Wishawhill Netherton</b>	<b>Balmore (ESWA) Camps Coulter Daer Dunside</b>	<b>21792</b>	<b>Bacteriological standard not met. THM standard not met.</b>	<b>New Treatment Works at Camps. New Treatment Works at Coulter. Arrangements made with ESWA to install appropriate treatment.</b>	<b>1994 1999 1990</b>	<b>1998 2001 1999</b>
<b>Newarthill (East)</b>	<b>Balmore (ESWA) Daer</b>	<b>11293</b>	<b>THM standard not met.</b>	<b>Arrangements made with ESWA to install appropriate treatment.</b>	<b>1990</b>	<b>1999</b>
<b>Tannochside</b>	<b>Balmore (ESWA) Camps Daer</b>	<b>13148</b>	<b>Bacteriological standard not met. THM standard not met.</b>	<b>New Treatment Works at Camps. Arrangements made with ESWA to install appropriate treatment.</b>	<b>1994 1990</b>	<b>1998 1999</b>
<b>Wishaw</b>	<b>Camps Daer Peden</b>	<b>23400</b>	<b>Bacteriological standard not met.</b>	<b>New Treatment Works at Camps.  Upgrade Treatment Works at Peden.</b>	<b>1994  1999</b>	<b>1998  2001</b>

**RELAXATIONS**



**WATER SUPPLY (WATER QUALITY) (SCOTLAND) REGULATIONS 1990  
 ITEMS REQUIRING RELAXATIONS 4 (1) (C)  
 TEMPORARY RELAXATIONS AS AT 31 DECEMBER 1997**

**CLYDE EAST DISTRICT**

<b>SUPPLY ZONE</b>	<b>WORKS NAME</b>	<b>ZONE POPULATION</b>	<b>PARAMETER</b>	<b>AUTHORISED MAX VALUE</b>	<b>COMPLIANCE DATE</b>
Motherwell (Central & South) Wishawhill, Netherton	Balmore Camps Coulter Daer Dunside	21792	Colour	35	2001
Shotts	Camps Daer	17905	Colour Manganese	23 500	1998 2005
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