

**Opportunity to secure further improvement to private water supplies in Midlothian by administering additional grant funding from the Drinking Water Quality Regulator.****Report by Derek Oliver, Chief Officer, Place****Report for Decision****1 Recommendations**

Cabinet is recommended to:

- i. Note that Midlothian has 67 private drinking water supplies, 40 of which are 'regulated' (incorporating commercial activity) and 27 which are 'type B' (owner occupied domestic only).
- ii. Note the provisions of the Private Water Supplies (Grants) (Scotland) Regulations 2006, in particular Regulation No. 8, permitting Midlothian Council to approve grant assistance in respect of works likely to improve the nature or quality of a private water supply. The maximum grant is currently up to £800.00 per property.
- iii. Note that this level of current grant assistance has not increased since 2006 and increased costs of living over this time risks a decline in the supply maintenance, which may pose a public health risk to supply users.
- iv. Note that Regulation 8(2) of the Private Water Supplies (Grants) (Scotland) Regulations 2006 permits Midlothian Council to pay grant in excess of £800 where an eligible person could not, without undue hardship, finance the expense of improvement works.
- v. Approve the proposed criteria for approval of additional grant (appendix C) and the maximum amount of grant payable to a property eligible for additional assistance as £3,400.00 (initial £800 plus up to £2,600.00 additional discretionary grant).
- vi. Acknowledge that grant funds are reclaimable in full (plus any Midlothian Council administration costs) from the Drinking Water Quality Regulator (DWQR), a public body responsible for nationally monitoring Scotland's private water supplies and advising Scottish Ministers. The approval of additional grant will be subject to the continuation of funding availability from DWQR.

**2 Purpose of Report/Executive Summary**

The purpose of the report is to provide information on a proposal for additional grant criteria in order that Midlothian Council can support private water supply users in securing improvements to their supplies to protect public health.

**Date: 4<sup>th</sup> October 2024**

**Report Contact:**

Laura Gunning Tel No 07385 969692 [laura.gunning@midlothian.gov.uk](mailto:laura.gunning@midlothian.gov.uk)



The introduction of the proposed additional grant criteria will encourage/enable supply owners to improve their water supplies and utilise full remit of the system to secure improvements to our Midlothian supplies.

The future of private water supply grants is uncertain. The DWQR have advised Midlothian Council that a review of private water supply regulation is expected within the next few years and anticipated budgetary challenges may lead to the withdrawal of these grants.

## **4 Report Implications (Resource, Digital and Risk)**

### **4.1 Resource**

No significant impact. The Public Health and Environmental Protection team have an appointed technical officer who is responsible for risk assessing private water supplies across Midlothian. The grant process is designed to be self-funding. The DWQR permit Local Authorities to reclaim the awarded amount (current £800 grant plus any additional amount) plus reasonable expenses including officer time and travel.

### **4.2 Digital**

No specific additional requirements.

### **4.3 Risk**

The future of private water supply grants is uncertain. There are also increasing challenges to water supply security in particular the impact of increased maintenance costs on supply maintenance and the impact of climate change increasing the likelihood of water scarcity. Water scarcity is of such national significance that the Scottish Environmental Protection Agency now publish weekly water scarcity reports during the summer months to report on rainfall, river flows and ground water levels. Their report on 26<sup>th</sup> September 2024 showed an early warning report for neighbouring authorities East Lothian and Scottish Borders and there have been scarcity concerns within Midlothian Council during Summer 2024.

### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

Not required.

### **4.5 Additional Report Implications (See Appendix A)**

See Appendix A

## **Appendices**

### **Appendix A – Additional Report Implications**

**Appendix B – Background information/Links**

**Appendix C - Proposed private water supply grant criteria resulting in increased financial grant award**

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

- Reducing the gap in economic circumstances
- Reducing the gap in health outcomes
- Reducing the impact of climate change

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern**
- Sustainable**
- Transformational
- Preventative**
- Asset-based
- Continuous Improvement**
- One size fits one
- None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you**
- Preventative and Sustainable**
- Efficient and Modern
- Innovative and Ambitious
- None of the above

### A.4 Delivering Best Value

Administering this additional grant will maximise use of DWQR funding to secure improvements to Midlothian private water supplies and public health.

### A.5 Involving Communities and Other Stakeholders

Both internal and external (other Local Authorities, DWQR) stakeholders have been consulted during the preparation of this report.

### A.6 Impact on Performance and Outcomes

This will support efforts to increase the number of private water supplies with satisfactory drinking water sampling results.

#### **A.7 Adopting a Preventative Approach**

The additional grant will encourage supply improvement to help mitigate the risk of water scarcity and reduce the likelihood of enforcement following supply failure.

#### **A.8 Supporting Sustainable Development**

Not applicable.

## APPENDIX B

### Background Papers/Resource Links

Scottish Environmental Protection Agency Water Scarcity Reports - [Water scarcity | Scottish Environment Protection Agency \(SEPA\)](#)

The Private Water Supplies (Grants) (Scotland) Regulations 2006 [The Private Water Supplies \(Grants\) \(Scotland\) Regulations 2006 \(legislation.gov.uk\)](#)

World Health Organisation - Lead in drinking water; Health risks, monitoring and corrective actions – Technical brief, 2022. [Lead in drinking-water: Health risks, monitoring and corrective actions \(who.int\)](#)



## **APPENDIX C**

### **Proposed private water supply grant criteria resulting in increased financial grant award**

Further financial assistance (above the statutory £800) is available at the discretion of Midlothian Council where a private water supply grant applicant can demonstrate that they meet any of the eligibility criteria listed below

#### **A. Eligibility**

Additional assistance will be considered for non-commercial premises only\* and in the following circumstances:

1. An occupier of an individual property can demonstrate receipt of qualifying benefit at the time of application.

#### **Qualifying Benefit**

- Income Support
- Income based job seeker's allowance
- Guarantee element for Pension Credit
- Income related employment and support allowance
- Relevant component of Universal Credit
- or their equivalents

#### **2. Works for the removal of lead in the water supply**

Due to the associated negative health effects of lead in drinking water increased financial grant award will be made for works to remove all identified lead sources (pipework / tank lining etc) and in this instance the applicant does not need to demonstrate eligibility through qualifying benefits.

#### **3. Single property supply**

Where the applicant is the only property on the supply and therefore bearing full cost of approved works to the supply.

**Note:** Where a supply serves multiple properties, increased financial assistance will only be provided to those specific properties that demonstrate they meet the eligibility criteria.

#### **B. Amount of additional financial assistance**

The discretionary additional financial assistance is 50% of the cost of approved works between £800 and £6,000, although it is recognised that works may exceed this upper limit at cost to the applicant. The maximum amount of grant payable to a property eligible for additional grant assistance is therefore £3400 (initial £800 plus up to £2600 additional discretionary grant).

All grant aid is subject to the submission of a valid grant application and its terms and conditions and must be adequately supported by invoices and confirmation of any additional required permissions etc.

The additional financial assistance is only payable in relation to qualifying applicant(s)/property(s) and their share of any communal works. It is also subject to funds being available to Midlothian Council from the Drinking Water Quality Regulator.

\*Properties with commercial activity such as those under tenancy or operating a business are entitled to grant to a maximum of £800 but are excluded from increased financial grant award.