

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 11 JUNE 2024**

**REVIEW OF WATER SAMPLING CHARGES**

**REPORT BY ALISON SMITH, DIRECTOR OF VIBRANT COMMUNITIES & SUSTAINABLE GROWTH**

**1. ABSTRACT**

This report sets out the detail of a review undertaken of charges levied by the Council for the sampling of private water supplies and swimming pools; sets out proposals for the increase in charges based on a full cost recovery model; and seeks approval to introduce charging for sampling in relation to planning applications and resampling visits.

**2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES**

This report contributes as a whole to the delivery of the Council Plan.

**3. RECOMMENDATIONS**

It is recommended that the Committee: -

- (i) notes that a review of charges, levied by the Council for the sampling of private water supplies and swimming pools has been undertaken;
- (ii) agrees to apply the proposed increased charges set out in Appendix 1;
- (iii) agrees to the introduction of charging for sampling in relation to planning applications and resampling visits; and
- (iv) agrees to the proposed fees being applied from 1 July 2024.

**4. BACKGROUND**

- 4.1 Charges for services delivered by Environmental and Consumer protection for 2024/25 were approved as part of the Angus Council Special Budget Setting meeting of 29 February 2024. Charges for water sampling were not included at that time as a review of the model for charging was required and it was agreed that a further report would be brought forward once that review was complete.
- 4.2 It should be noted that many of the chargeable services that environmental health provide are related to statutory functions, where the Council is the only supplier available to the Service user. For some services, the fees are set by statute and for others national guidance on charges has been established to promote consistency between local authorities. There are some fees that are at the discretion of the council. This includes the charging of sampling of water supplies.
- 4.3 The council has a duty under The Water Intended for Human Consumption Regulations (Scotland) 2017 to sample annually all regulated supplies in their local authority area and undertake a risk assessment of each supply every 5 years.
- 4.4 Angus Council has around 400 private water supplies within their local authority area. 80 of those are classified as regulated supplies. A regulated supply is a supply with a commercial property, tenanted property or over 50 people using the supply.
- 4.5 The council, under The Private Water Supplies (Scotland) Regulations 2006, will monitor and sample Type B private water supplies in their area. Type B supplies are non-regulated, domestic supplies.

- 4.6 In some cases, the council is only permitted by legislation to recover a capped cost in relation to the above samples as per paragraph 33 of The Private Water Supplies (Scotland) Regulations 2006 and Schedule 9 of The Water Intended for Human Consumption Regulations (Scotland) 2017
- 4.7 Sampling charges in relation to planning applications and house sales are out with the regulatory framework of charges.

4.8 Swimming pool samples are out with a regulatory framework and are an additional service offered.

## **5. CURRENT POSITION**

5.1 Current charges are made up of officer time, travel and the analysis cost charged by Scottish Water who analyse all water samples. A full review of the model for charging found that a full cost recovery model was not being applied. Charges do not accurately reflect the amount of officer and business support time required to process each sample.

5.2 As an area where the council has discretion to apply charges as they see appropriate, following a costing exercise of water sampling charges to ensure full cost recovery only, new charges are presented to the Committee for approval for 2024/25.

## **6. PROPOSALS**

6.1 The proposed new charges for water sampling for 2024/25 are detailed in **Appendix 1**.

6.2 It is also proposed to introduce charging for sampling in relation to planning applications.

6.3 Sampling fees already include a visit fee (made up of officer time, business support and travel), however, it is proposed to introduce a visit fee where there is a need to go back for a resample. This will include a visit fee plus the lab fee as the lab fees vary depending on what we need to sample for.

6.4 Charges will then be reviewed for 2025/26 and in future as part of the Council budget setting and review of charges.

## **7. FINANCIAL IMPLICATIONS**

7.1 The proposed charges for all water samples are based on working towards full cost recovery. Any additional income realised will be required to recover associated revenue costs e.g., lab costs.

## **8. RISK MANAGEMENT**

8.1 The requirement to pay for regulatory samples has existed since 2006 with additional properties liable from 2017. As yet there have been no issues with unpaid samples, likely due to the awareness that exists amongst private water supply users and the communication provided by the sampling team.

## **9. ENVIRONMENTAL IMPLICATIONS**

9.1 There are no direct environmental implications arising from the recommendations of this report.

## **10. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY**

10.1 A screening assessment has been undertaken and a full Equality Impact Assessment is not required as it is a percentage increase in fees which has no differential impact on protected characteristics.

## **11. CONSULTATION**

11.1 In the preparation of this report consultation has been undertaken with the Director of Finance and the Director of Legal, Governance and Change.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

**REPORT AUTHOR:** Louise Manson, Service Manager, Environmental and Consumer Protection

**EMAIL DETAILS:** [mansonl@angus.gov.uk](mailto:mansonl@angus.gov.uk)

List of Appendices:

Appendix 1 – Proposed Water Sampling Charges for 2024/25

## REVIEW OF WATER SAMPLING CHARGES

Proposed Water Sampling Charges for 2024/25

Sample Type	2023/24	2024/25	£ Increase	% Increase
House Sale	118	157	39	33
Regulatory	195	200	5	2.6
Planning Application (new charge)	N/A*	256	N/A	N/A
Swimming Pool	60	92	32	53
Type B	118	130	12	10
Resampling Visit Charge	N/A*	70	N/A	N/A

Additional parameter charges charged as per Scottish Water charges.

\*These are new charges to be introduced.