

Final report from Drinking Water Inquiry

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Report
Analysis
Comment

Access to fresh water of good quality is critical for many industrial processes, as well as for individuals' health and well being. The Drinking Water Inquiry, which was established in 2013 to review drinking water regulations, processes and challenges, recently submitted its final report, "A Secure Drinking Water Supply" (SOU 2016:32) to the government.

Report

The aim of the report was to identify existing and potential challenges to a secure drinking water supply throughout the entire process from raw water sources to delivery, and to suggest relevant actions and changes. The inquiry's analysis and proposals build on the existing framework (structures, regulations and division of responsibility) regarding drinking water supply.

Municipalities have the primary responsibility with regard to water protection and drinking water supply. There are already many examples of municipalities planning to or already cooperating with regard to protection of shared water resources, production and distribution of drinking water and establishing shared organisations, plans, skills supply and financial management. However, not all municipalities do this. In some areas improvement is needed with regard to planning for future needs, maintaining and keeping the infrastructure for water supply up to date with new technology and new threats (eg, chemical and biological pollutants). The inquiry proposed the following amendments to the Public Water Services Act:

- to make it mandatory for municipalities to cooperate across borders where relevant;
- to set up renewal and maintenance plans; and
- to consider those plans in pricing water services (which are financed through fees from users).

The water supply itself must also be protected in response to increased risks due to, among other things, urbanisation, changes in land use and climate change. Once again, the levels of protection that are already in place vary between different areas, as do many of the risks relevant to the local water supply. The inquiry proposed amendments to the Environmental Code to make it mandatory for municipalities to ensure that water protection areas are up to date and that relevant safety regulations are in place for all water sources which provide more than 10 cubic metres per day or serve more than 50 persons. Around 25% of public sources for water supplies (420 water sources) that fulfil the criteria are not currently in water protection areas, and an unknown number of water protection areas have safety regulations which are outdated and require revision.

The role of county administrative boards is proposed to be strengthened (among other things) by introducing a mandate to issue orders to municipalities that fail to fulfil their obligations to investigate the need for water protection. Other regulatory changes are also proposed, mainly to strengthen the role of central government in monitoring the quality of drinking water and providing support, such as regulations, supervision and guidance.

Analysis

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The inquiry has fulfilled its directive to provide a comprehensive review and analysis of existing and future challenges to the drinking water supply. It has been successful in involving government agencies, organisations and experts in its work, as well as in highlighting different perspectives and relevant issues.

The proposals are for the most part aimed at strengthening and accelerating processes which are already in motion. A strong emphasis is placed on cooperation, as well as investigating and taking measures which are relevant given local or regional environmental conditions. Improvements in planning, balancing political decisions with regard to (among other things) investments in water purification and distribution, pricing and financial management, and an increase in cooperation across municipal borders are difficult to tackle through legislation or control from central government. Only time will tell if the inquiry's proposals will be enough to accelerate development in regions where it has been slow.

With regard to water protection areas, there can be little doubt that the proposals will provide a much-needed push to establish protective measures for all significant raw water sources. However, it is a concern that each municipality may have to decide the appropriate level of protection and, in part, how to finance necessary investments.

The inquiry's proposals will translate into an increase in costs for municipalities in essentially every part of the process, from securing access to raw water to investments in treatment and delivery systems. As the recipients of water services will continue to be the main source of income, this will in turn mean increased costs for users.

Decisions on such costs can prove unpopular and divisive. The formation of new water protection areas is burdened by a difficulty striking a balance between interests and determining who (the water and sanitation collective, taxpayers or individual land owners and industries targeted by restrictions) should bear the costs. The question of remuneration for restrictions has been exempted from the inquiry's review and left to be determined through case law. Despite demands from several directions, the inquiry has rejected the idea of general regulations or model provisions for water protection areas. With this in mind, there is a risk that actions in some places will continue to be determined mostly by access to resources or popular opinion. This could highlight inconsistencies between municipalities in terms of the levels of protection and unequal treatment of individuals affected by restrictions, which would be doubly unfortunate. Until a body of case law regarding remuneration for new or increased restrictions exists, an increase in disputes regarding water protection is also likely. It could prove detrimental to the municipalities' efforts to set up water protection areas.

Comment

The inquiry contains some good and concrete proposals on changes in structures and processes to improve planning and management of drinking water from source to tap. However, its future success relies heavily on the work of authorities within their appointed areas of responsibility. Critical parts of the work will need to be carried out in municipalities, where it may prove to be a weakness that some central and partly controversial issues are essentially still unresolved. It remains to be seen whether the proposals will be sufficiently effective. The inquiry has proposed an evaluation in 2020 (proposals for regulations are set to come into force in 2018).

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