



Committee for Regional Development

To: Stella McArdle
Clerk to the Committee for Agriculture and Rural Development

From: Paul Carlisle
Clerk to the Committee for Regional Development

Date: 20th February 2014

Subject: Reservoir Bill

1. I refer to the above.
2. The Committee for Regional Development received a presentation from Northern Ireland Water (NIW) officials at their meeting of 12th February 2014. Unfortunately, the meeting was not quorate and a decision on the Committee response could not be taken until the meeting of 19th February 2014.
3. A copy of the Hansard of this meeting has been forwarded to your office for information. You will see from this that NIW warmly welcomes the Reservoirs Bill as it makes provision for the regulation of the management, construction and alteration of certain reservoirs, in particular in relation to their safety to collect and store water; and for connected purposes.
4. NIW has, like its predecessor DRD Water Service, been committed to ensuring the safety of the public of Northern Ireland and has already been managing its impounding dams in line with the England and Wales Reservoirs Act 1975, since 1975.
5. NIW acknowledges that the Bill will result in an additional duty on them to prepare and maintain formal on-site and off-site flood plans and has no objections to this.

6. NIW does have a concern regarding impounding reservoirs that are no longer required for operational use and, therefore, may be disposed of. As a public body, under our regulatory licence, NIW is required to manage its assets efficiently, obtain best value for money and release unused assets. It is expected that the proposed new Reservoirs Bill is likely to reduce the potential sale value of disused impounding reservoirs, because a buyer who proposes to buy one will have to comply with the Reservoirs Bill and carry out surveys and the required maintenance.
7. There are also concerns with regards to the Camlough lake impoundment that is operated by a range of bodies and will be affected by the Reservoirs Bill. The lake was awarded to trustees in 1871 and, whilst NIW has used the lake as a raw water source for Northern Ireland Water since government reorganisation in 1973, it is unlikely that it will be used beyond 2017. NIW does not, therefore, have an interest in the lake.
8. However, clause 5 of the Bill could see NIW be appointed as reservoir manager which would result in immediate repair costs ranging from £2.5 - £3.2 million and an annual upkeep of circa £13,000. It is unlikely that the other users of the lake, Newry and Mourne Council, would be keen to take on this responsibility and the resultant financial burden.
9. Finally, Mr Declan McAleer MLA has expressed concern that community organisations could, in particular circumstances, be left with the liability for impoundments used for social and recreational purposes. The Committee for Regional Development would support the arguments that this should not be the case.
10. The Committee for Regional Development reserves the right to make further contributions in respect of the Committee and further Stages of the Bill.

Paul Carlisle

Clerk to the Committee for Regional Development