

DEPARTMENTAL CO-ORDINATION UNIT



Paul Carlisle
Clerk to the Committee for Regional Development
Committee Office
Room 254
Parliament Buildings
BELFAST
BT4 3XX

Room 413c
Clarence Court
10-18 Adelaide Street
Belfast BT2 8GB

Telephone: (028 905) 41140
Facsimile: (028 905) 40064
Email: alan.doherty@drdni.gov.uk

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Our reference: SUB-2088-2015

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Dear Paul

WATER AND SEWERAGE SERVICES BILL PROPOSED AMENDMENTS

I refer to the proposed amendments provided to officials at their meeting with you on 29 October 2015.

We have taken the mind of the Minister for Regional Development on these amendments. She understands the desire of the Committee to have a clearer reference to soft SuDS on the face of the legislation. However, she has asked that the Committee consider an alternative approach to achieving that objective.

On the specifics of the amendments you have proposed, we have received advice from the Office of the Legislative Council (OLC) who has advised that Amendment 1 and Amendment 2 appear to be in contradiction. Amendment 1 gives rise to concerns because it requires NI Water to play a role in relation to all soft SuDS which we do not believe would be appropriate and falls outside its licence obligations. If Amendment 1 were accepted, it would mean that Amendment 2 was not required.

In relation to Amendment 3, NIEA already has SuDS guidelines. In addition guidance on SuDS is part of the recently published Strategic Planning Policy Statement and CIRIA (the Construction Industry Research and Information Association) already has an extensive manual on SuDS for the construction sector.

Given the Committee's desire to legislate for soft SuDs, the Minister has suggested that the Committee considers expanding the definition of 'suitable alternatives' in Clause 5 to make specific reference to soft SuDS.

OLC has prepared an alternative amendment for consideration by the Committee, at **Annex A**.

This suggested amendment adds soft SuDS, including landscaping, natural features, etc. to the face of the Bill. This would encourage the use of soft SuDS as well as the more traditional, hard engineered solutions.

Officials stand ready to discuss this amendment with the Committee at a suitable opportunity.

The content of this letter is fully disclosable under the Freedom of Information Act.

I trust that the Committee will find this information helpful.

Yours sincerely

[SIGNED]

ALAN DOHERTY
Departmental Assembly Liaison Officer

ANNEX A

Water and Sewerage Services Bill

Amendment to be moved at Consideration Stage

By the Minister for Regional Development

Clause 5, Page 4, Line 8, at end insert -

‘(5C) The reference in subsection (5B) to suitable alternatives includes, in particular—

- (a) the use of landscaping, natural features or any other kind of arrangement, or
- (b) the design or construction of any other feature (whether or not amounting to a “structure” within the meaning of Article 2(3A)),

for the purpose of reducing the volume of water from the premises or sewer that enters public sewers or watercourses, or the rate at which it does so.’