



Northern Ireland  
Assembly

Committee for Regional Development

# OFFICIAL REPORT (Hansard)

Water and Sewerage Services Bill:  
Formal Clause-by-clause Scrutiny

18 November 2015

# NORTHERN IRELAND ASSEMBLY

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### Water and Sewerage Services Bill: Formal Clause-by-clause Scrutiny

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#### **Members present for all or part of the proceedings:**

Mr Trevor Clarke (Chairperson)

Mr Seán Lynch (Deputy Chairperson)

Mr John Dallat

Mr Declan McAleer

Mr Stephen Moutray

Mr Cathal Ó hOisín

**The Chairperson (Mr Clarke):** The Committee will carry out its formal clause-by-clause scrutiny of the Bill and agree each clause and schedule and the long title. I can advise members that there is a tabled response from the Examiner of Statutory Rules on the Bill. It represents legal advice to the Committee and, in line with the Committee's agreed practices, the advice will be collected following the conclusion of this agenda item.

The Department has agreed to the Examiner's amendments to clause 3. The Department has also agreed, on the whole, to the amendment suggested by the Committee in respect of including Northern Ireland district councils as statutory consultees. The Department has suggested that the words "Northern Ireland" are not necessary and would not have been included if it had been drafting the amendment. Just note, members, that the Assembly Bill Office has agreed to that.

The Bill is in your pack on pages 29-41, and the explanatory and financial memorandum is on pages 42-46. I will seek members' agreement on each clause and schedule in turn, and members should indicate their agreement or otherwise. There are 9 clauses and 2 schedules. Finally, I will put the Question on the long title. The options available to the Committee on each clause and schedule are to agree that Committee is content with the clause, as drafted or as amended; agree that the Committee is not content with the clause; or agree that the Committee is not content with the clause and will table an opposition to the clause stand part prior to Consideration Stage. Do Members have any questions before we proceed? OK.

*Question, That the Committee is content with clause 1, put and agreed to.*

*Question, That the Committee is content with clause 2, put and agreed to.*

#### **Clause 3 (Power to remove or relax duty to install water meters when making domestic connections)**

**The Chairperson (Mr Clarke):** The amendments to the clause by the Department are as tabled:

*"Page 2, line 11, at the beginning insert 'suspend (whether indefinitely or for a specified period or'*

*Page 2, Line 12, leave out '(a)'*

*Page 2, line 16, leave out 're-enact' and insert 'revive'*

*Page 2, Line 16, leave out 'repealed' and insert 'suspended'".*

The amendments are being proposed on the basis of the tabled advice from the Examiner of Statutory Rules.

One further amendment has been tabled in respect of clause 3 as a result of oral evidence received from the Northern Ireland Local Government Association. The intention of this is to include local government as a statutory consultee where the Department intends to make regulations amending the Water and Sewerage Services (Northern Ireland) Order 2006 in respect of the removal or relaxation of the duty to install water meters when making domestic connections. The Bill Office had originally suggested inserting "Northern Ireland District Councils". However, the Department is advising that the term "Northern Ireland" is not required, as it is a Northern Ireland Bill. The Bill Office has subsequently advised that it is content with the Department's drafting:

*"Page 2, Line 25, at end insert –*

*'( ) district councils;'"*

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

*Question, That the Committee is content with clause 4, put and agreed to.*

**Clause 5 (Refusal of surface water connection)**

**The Chairperson (Mr Clarke):** There is one amendment proposed to the clause:

*"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."*

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

*Question, That the Committee is content with clause 6, put and agreed to.*

*Question, That the Committee is content with clause 7, put and agreed to.*

*Question, That the Committee is content with clause 8, put and agreed to.*

*Question, That the Committee is content with schedule 1, put and agreed to.*

*Question, That the Committee is content with schedule 2, put and agreed to.*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Mr Clarke):** That concludes the clause-by-clause scrutiny of the Bill. Thank you, members, for that.