

**From the office of the Minister for Infrastructure
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Peter, a chara,

COMMITTEE FOR INFRASTRUCTURE: FOLLOW-UP FROM MEETING ON 19 NOVEMBER 2025 – SUDS BILL – WRITTEN QUERIES

The Committee has requested further clarification on a range of clauses in the Water, Sustainable Drainage and Flood Management Bill following comments received from the Committee for Agriculture, the Environment and Rural Affairs and the Committee for Communities. I have addressed the queries below.

Committee for Agriculture, the Environment and Rural Affairs Queries

The Committee has commented while the Bill establishes a framework that could enable the future mandatory use of Sustainable Drainage Systems (SuDS) and asked why are SuDS not made mandatory for new developments from the outset. The Committee also asked what is the rationale for adopting a phased approach.

The Bill provides enabling powers for SuDS in new housing developments, where site conditions permit. A public consultation is currently underway which, along with future consultations, will inform policy development by gathering essential information and opinions on key policy areas and potential implementation challenges. Future regulations should ultimately deliver a new regulatory regime for the design, construction, operation, approval, adoption and maintenance of SuDS. This will allow the incorporation of these new drainage techniques into new developments, where possible, that can lessen the demands on drainage systems and at the same time lessen the impacts of climate change and potentially reduce pollution.

The Committee commented that the Bill does not clearly address retrofitting of SuDS. Given that severe flooding often occurs in long-established streets and

neighbourhoods, the Committee has asked if the Department views retrofitting as a critical tool in mitigating existing flood risks.

The Bill provides enabling powers to make Regulations on the future design, construction, operation, approval, adoption and maintenance of SuDS in new housing developments. It does not cover retrofitting SuDS to existing developments as it aims to ensure that SuDS are incorporated into the early design stages of new developments.

Separately, however, my Department has secured £15m over 4 years to take forward an Urban Drainage Transformation Pilot Project to test the retrofitting of SuDS. The aim is to retrofit 10,000 m³ – 20,000 m³ of surface water storage through a range of different Sustainable Drainage Systems (SuDS) and Natural Flood Management (NFM) measures within urban areas to slow the flow of rainwater and where possible stop it from entering the combined sewers.

The learnings from the design, construction and maintenance of the different SuDS and NFM interventions will inform long-term investment and policy decisions for the Department, NI Water and other delivery partners.

The Committee has asked in cases where SuDS alone may be insufficient, what additional measures or contingency plans are under consideration to ensure effective drainage and flood management.

The Bill provides enabling powers for soft, or landscaped, SuDS in new housing developments, but where those are not either sufficient or possible, traditional oversized pipes and tanks can still be used.

While this new regime will facilitate new SuDS features, all existing flood mitigation measures and requirements will continue to be applied.

Committee for Communities


The Committee has asked is the enabling power in Clause 6 broad enough to allow social housing landlords (such as the NI Housing Executive and Registered Housing Associations) to apply for assistance on behalf of their tenants. If not, what assurances can be provided to ensure social housing tenants are not disadvantaged and can access equivalent protections.

The Bill, as drafted, reflects the existing Homeowner Flood Protection Grant Scheme pilot scheme and the consultation which took place in 2022. The consultation sought views on introducing a substantive scheme for residents whose properties are susceptible to flooding, similar to the existing scheme. Businesses and Housing Associations are not included in the current Homeowner Flood Protection Grant Scheme.

The details of how the grant scheme will operate will be set out in regulations but, as currently drafted, the Department is only seeking powers relating to domestic buildings. 'Domestic buildings' is described as wholly or mainly as a private dwelling. There will need to be a further consultation after the Bill has been approved by the Assembly.

I hope this information is helpful.

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A handwritten signature in dark ink, appearing to read 'Liz Kimmins', with a stylized flourish at the end.

LIZ KIMMINS MLA
Minister for Infrastructure