

Reservoirs Bill

Discussion with Private Sector Owners

Tuesday 18 March 2014

In Attendance:

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During the discussion the participants broke into two discussions groups. The first group discussed and reported back on issues 1, 2 and 3. The second group discussed and reported back on issues 4, 5 and 6. Both groups were given the opportunity to discuss other issues of concern which are reported at the end of this document.

Issue 1: Classification of Risk

- Concerns about how the risk is designated, It is not based on the probability of the reservoir breaching.
- Other countries (USA & Australia) have achieved this yet we here say it is impossible.
- This is coming from Europe yet some EU countries are not implementing this, why are we?
- Current classification of risk and the Bill are based on out of date flood maps.
- Unfair burden being placed on people who have had reservoirs placed upon them and classification may push them under.
- Reservoirs prevent more flood risk than they create. There is likelihood that abandoned or decommissioned reservoirs would create more flooding.
- Risk comes from probability, if a high risk reservoir has £20k worth of improvements for example, it would still be high risk. How is this workable?

- We always hear about reducing red tape, yet it seems to be being created here along with an industry.

Issue 2: Panel of Engineers

- Grant aid should be 100% for both inspection and remedial work. It is unfair when private owners are categorised with councils and other Government bodies who have access to money.
- Reservoirs have successfully regulated their reservoirs here for years, why the need now for experts?
- Reservoirs are covered by 3rd party insurance.
- One engineer in Northern Ireland who is not quite yet a panel engineer. Are we creating an industry? Other engineers could have the ability/capability to do this, is there a need for panel engineers?
- No engineer will ever say a reservoir is 100% safe.

Issue 3: Planning Service

- Concerns about who will police the planning aspect.
- Concerns about abandoned reservoirs which would need planning permission to be decommissioned.
- Mills are frequently downstream from reservoirs, and employ people. Options could be to fix/make it safe or get rid of employees.
- Dishonest builders may build without permission. This will have or could have a negative effect on your reservoir until a case is decided on, maybe even 3-4 years.

Issue 4: Operating requirements

- Concern re 'capable of holding' – what if there is no economic reason to 'fix' a reservoir. Will an engineer still be required?
- Low number of failed reservoirs here – what is the reasoning behind the Bill for low key reservoirs?
- Engineer's recommendations could increase costs for some reservoirs significantly but could also reduce them or reduce fears around the process.

Issue 5: Grant Aid

- Grant aid would need to be a guarantee. Community assets will be lost and the time and effort spent in developing them will have been wasted. Huge impact on the community.
- If a dam is filled in, will compliance still be required?
- Concern regarding getting a dam up to the required standard and the associated capital costs. Grant aid is a grey area.
- Wildlife and biodiversity issues need to be considered if grant aid at 100% is not provided.
- Bill will have an impact on a range of issues if grant aid not given – health, social benefits, biodiversity and environmental impact.
- Funding should be open ended – if time bound then just delaying the problem.

- Requirement for more record keeping – too much red tape. Will this necessitate employing an additional person just for this purpose?

Issue 6: Decommissioning

- The Bill will not stop you decommissioning a reservoir but there needs to be recognition of the wider use i.e. community and environmental costs.
- Will Rivers Agency take costs if clubs etc. go into liquidation? Rivers Agency will but they may pursue for costs.

Other Issues

- There seems to be no concern for the rights of unknowing reservoir owners, particularly stress and wellbeing issues.
- Concern around correct definition and explanation of a reservoir, including qualifying amount.
- The consultation process between Rivers Agency and reservoirs owners prior to tonight. How many have further fell through the loophole?
- Importance of dams regarding heritage and the true definition of why the Bill is being brought forward.
- Ecology issues were decommissioning may be the only option and the impact on wildlife including endangered species.
- How will any work that is undertaken improve the mitigation of failure?
- A need for a simple way of decommissioning reservoirs including a reasonable get out clause for owners not able for the costs. This is seen as a last resort and not what we want to see.
- Concern regarding the consultation process carried out by Rivers Agency.
- Private owners should have been properly identified before consultation began in order to influence thinking.
- Whilst the Bill is a well-researched engineering document, no thought has been given to social and environmental concerns.
- Committee cannot make a judgement call unless all costs for private owners are known.
- Rivers Agency has agreed to provide the risk assessment and flood maps.
- The Bill will not be a priority within the budget and therefore grant aid may not be guaranteed.
- If initial works are identified will there be financial assistance?