

CENTRAL MANAGEMENT BRANCH



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

Your reference: DALO 6B/4/2014
Our reference: SUB/827/2014

31 October 2014

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

Dear Paul

DALO 6B/4/2014 - STRATEGIC DRAINAGE INFRASTRUCTURE

I refer to the above meeting at which Department Officials provided a presentation in respect of *A Strategic Drainage Infrastructure Plan for Northern Ireland*. Following the meeting a number of questions were raised by the Committee:

“Northern Ireland, and the greater Belfast area in particular, cannot continue to develop economically without growth in the capacity of its drainage infrastructure”. Explain how the Department has allowed the infrastructure to get to this state?

Limitations on available public expenditure constrain departmental capital programmes and this has applied to NI Water and TransportNI. The Utility Regulator recently confirmed in its PC15 Draft Determination that NI Water’s proposed programme of work was constrained by the available public expenditure as set out in the Investment Strategy for Northern Ireland. Research in the last year has highlighted that more investment is required to provide the necessary support for economic growth, protect the environment and address flooding risks. The scale of the challenges requires a holistic and integrated approach to future drainage provision and as a result, the Minister has sought and obtained approval from the Northern Ireland Executive to establish an inter-departmental group tasked with developing a strategic approach to drainage infrastructure across Northern Ireland.

How has the Department assessed the potential level of infraction charges?

The Commission has powers to apply financial sanctions to the UK where, following infringement proceedings for a breach of EU law, the Court of Justice has found the UK to be in breach of its obligations. Such financial sanctions may comprise both a daily penalty (of up to circa € 700,000 per day to induce the remedy of the breach) and a lump sum (based on assessment of the effects of the breach for which the minimum for the UK is currently €9,446,000). The level of infraction charge in an individual case is difficult to assess as it will be determined by the seriousness and duration of the breach. The general UK approach adopted has been to avoid financial penalties through committing to a prioritised programme of work to address the breach. In this way the risk of infraction charges and further action by the Commission is reduced.

The Executive has agreed that an additional £120M over ten years is required for potential flood threats, which you state is now inadequate. Can you detail the levels of funding now required and explain the variance?

The PEDU “Review of Response to Flooding June 2012” recommended that Rivers Agency, TransportNI and NI Water work with their parent departments to review current flood defence expenditure priorities and report to the Executive on their adequacy to meet the potential threats over the next 10 years. The PEDU report estimated that some £120m would be required to address flooding problems in high risk areas and the Executive identified this as a priority for the next Investment Period. However, this figure did not include any estimate for the strategic infrastructure to deliver longer term, more sustainable drainage solutions, properly address the risk of infraction proceedings or support future economic development in the greater Belfast area. It is estimated that that additional funding (of at least £750m) will be needed to progress an integrated drainage infrastructure solution for the greater Belfast area alone. The work of the Programme Board will initially focus on developing a drainage infrastructure plan to enable a long-term work programme for South and East Belfast to be developed and costed.

You stress there is as yet no agreed cross-departmental infrastructure plan at strategic level to support economic growth, provide for the long term

management of flood risk or improve water quality in the wider environment. Why this is and which bodies are causing the delay?

Responsibility for water policy in Northern Ireland is split across three departments and considerable joint working exists between DARD, DOE and DRD to address flooding problems and improve/protect water quality in the environment. The Department has been working in partnership with DARD and DOE in developing a Draft Long-Term Water Strategy for Northern Ireland which presents a clear framework for action which will facilitate a range of initiatives aimed at delivering “a sustainable water sector in Northern Ireland”. Consultation on the Draft Strategy began in June and ends on 10 October 2014.

Improving flood risk management and drainage is a key aim within the strategy and joint working in developing the strategy contributed to the development of the Strategic Drainage Infrastructure Executive paper. Work will now continue with the establishment of the inter-departmental group tasked with developing a strategic approach to drainage infrastructure across Northern Ireland. The initiative by the Minister for Regional Development to develop a strategic drainage infrastructure plan, now approved by the Executive, builds on the extensive interdepartmental work carried out to date.

The Programme Board will begin work in autumn 2014, where the focus of the project over the first few years will be to develop a drainage infrastructure plan to enable a long-term work programme for South and East Belfast to be developed and costed. Is this being treated with the urgency that is necessary?

Yes and good progress has already been made. The proposal by the Minister for Regional Development that this work should be taken forward by an interdepartmental group was approved by the Executive in July. The relevant departmental Ministers have nominated their representatives to the Programme Board, which will involve senior officials from DOE, DARD, DFP and DRD, together with NI Water, Belfast City Council and SIB. The first meeting of the Programme Board has been scheduled for November and as highlighted above, the initial focus of the project will be to develop a drainage infrastructure plan to enable a long-term work programme for South and East Belfast to be developed and costed. Subsequently, the Programme Board will develop similar plans for

the rest of Belfast (Phase 2) and the remaining significant flood risk areas in Northern Ireland (Phase 3).

This letter is fully disclosable under FOI.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Doherty', with a horizontal line underneath the name.

ALAN DOHERTY
Departmental Assembly Liaison Officer