

THE WATER AND SEWERAGE SERVICES (NORTHERN IRELAND) ORDER 2006

The Preservation of Services and Civil Emergency Measures (Relevant Undertaker) (Northern Ireland) Direction 2010

It appears to the Department for Regional Development (the Department) that it is requisite and expedient for the purposes of preserving the security of buildings, installations, pipes or apparatus used for the provision of a water supply or sewerage services and preventing, or reducing, controlling or mitigating the effects of a civil emergency to give the following direction to the relevant undertaker.

The Department for Regional Development has consulted with the relevant undertaker.

The Department for Regional Development directs the relevant undertaker as follows in exercise of the powers conferred by Article 295(1) of the Water and Sewerage Services (Northern Ireland) Order 2006 (the Order). (a)

Citation

1. This Direction may be cited as The Preservation of Services and Civil Emergency Measures (Relevant Undertaker) (Northern Ireland) Direction 2010.

Planning and Preserving Services

2.—(1) The relevant undertaker shall make, keep under review and revise such plans and take such measures as it considers necessary to ensure the provision of essential water supply or sewerage services in a civil emergency, and to ensure the preservation of services and in doing so have regard to—

- (a) the general policy in the United Kingdom in respect of civil emergencies as notified to the relevant undertaker by the Department; and
- (b) any guidance, procedures and requirements notified to the relevant undertaker by the Department, for the preservation of services, as such matters relate to the functions of the relevant undertaker.

(2) Plans for essential water supply shall be prepared on the following assumptions—

- (a) that water is to be provided in accordance with the relevant undertaker's duties under the Order;
- (b) that in the event of an unavoidable failure of piped supply, such minimum supply will be provided by alternative means as notified to the undertaker by the Department;
- (c) that priority will be given to the domestic needs of the sick, the elderly, the disabled, hospitals, schools, and other vulnerable sectors of the population; and
- (d) that regard is had for the needs of non-domestic users as well as domestic users.

(3) Plans for sewerage services shall be prepared on the following assumptions—

- (a) that sewerage services will be provided in accordance with the relevant undertaker's duties under the Order, as supplemented by regulation 6 of the Urban Waste Water Treatment (Northern Ireland) Regulations 2007 (a);
- (b) that provision is needed to guard against and deal with discharges from the sewerage system into waters—
 - (i) from which water may be abstracted;
 - (ii) where aquatic life may be adversely affected; or
 - (iii) onto land where such discharge may cause pollution or affect the amenities of the area.

(4) Plans for essential water supply and sewerage services and measures for the provision of services, shall—

- (a) make provision for—
 - (i) training of all staff who may be called upon, including courses, seminars, and exercises.
 - (ii) strategically stored stockpiles of sufficient types and quantities of equipment and materials, including pumps, tanks, hoses and chemicals;
 - (iii) dedicated emergency communication facilities, including telephone and electronic hardware and software;
 - (iv) analytical services, dissemination of information and other back up services;
 - (v) carrying out security work on vital installations and protection and surveys of other installations or facilities; and
 - (vi) suitably equipped accommodation to act as command and control centres.
- (b) require the relevant undertaker—
 - (i) to notify the Department immediately of any actual or potential emergency involving water supply or sewerage services; and
 - (ii) to notify immediately all such bodies and persons as may be affected by any actual or potential emergency involving water supply or sewerage services.

(5) The relevant undertaker shall send to the Department a copy of the plans made in accordance with this paragraph or, in the case of a revision of those plans, details of the revision to the Department.

(6) The relevant undertaker shall review the plans and measures made in accordance with this paragraph as necessary.

(7) The relevant undertaker shall review or revise the plans and measures made in accordance with this paragraph if so directed by the Department

Provision of facilities

3. The relevant undertaker shall ensure that all facilities required for the purpose of implementing the plans and measures referred to in paragraph 2 are provided.

Implementation

4. The relevant undertaker shall implement or activate the plans and measures referred to in paragraph 2 and any operations and services to which they relate—

- (i) as it deems necessary; or
- (ii) as required by the Department.

(a) S.R 2007/187

Co-operation

5.—(1) In complying with the requirements for plans under paragraphs 2 to 4, the relevant undertaker shall, as necessary, consult—

- (a) DOE;
- (b) every appropriate district council;
- (c) the Regional Agency for Public Health and Social Well-being;
- (d) the Police Service of Northern Ireland;
- (e) the Department; and
- (f) any other bodies likely to be involved in handling an emergency

for the purpose of ensuring the relevant undertaker's plans, operations, and services are complementary and co-ordinated.

(2) The relevant undertaker shall make available any of its employees as required by the Department to act in such capacity as the Department deems necessary.

Reports and statements

6.—(1) The relevant undertaker shall, on or before 1st April in each year, beginning 2011, furnish the Department with a statement confirming—

- (a) that the plans referred to in paragraph 2 have been made in accordance with that paragraph; and
- (b) that all facilities required by paragraph 3 have been provided.

(2) The relevant undertaker shall report to the Department on the action taken pursuant to the Directions as may be specified by the Department.

Sealed by the Official Seal of the Department for Regional Development on the 02 August 2010



John Mills
A Senior Officer of the
Department for Regional Development