



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Reservoir Supervision and Maintenance
Date:	13 March 2014
Reporting Officer:	Rose Crozier, Assistant Director of Parks and Leisure Department
Contact Officer:	Ian Bowden, Senior Civil Engineering Officer, Parks and Leisure Department. Ext 4784

1.0	Relevant Background Information
	<p>At the Committee meeting on 16th January 2014 Members gave authority to the Director of Parks and Leisure to proceed with works and associated expenditure to implement the various recommendations in the Reservoir Reports that were commissioned in line with best practice, as indicated in the Reservoirs Act 1975. Members were also informed that Northern Ireland is currently in the process of developing a Reservoirs Bill.</p> <p>That Bill was introduced to the Northern Ireland Assembly on 20th January 2014, had its second reading on 14th February 2014 and has now been passed to the Committee for Agriculture and Rural Development for scrutiny. As part of this 'Committee Stage' the Committee asked for interested parties to provide their views on the Bill and following an invitation to officers, dated 24th January 2014 (Appendix 1), the Director of Parks & Leisure informed the Committee Chairman that the Assistant Director of Parks and Leisure and the Senior Civil Engineering Officer would be attending the Committee for Agriculture and Rural Development on 25th February 2014. Belfast City Council's submission of the presentation to the Committee for Agriculture and Rural Development provided details on reservoirs owned by the Council, the associated costs and the approach to emergency planning. A summary of the presentation can be found at Appendix 2.</p>

2.0	Key Issues
	<p>Following the presentation those giving the evidence were questioned by MLA's and while some questions were answered by the officers at the time, the following questions could not be answered and required follow up:</p> <ol style="list-style-type: none">1. "What, if any, insurance Belfast City Council holds in respect to the failure of a reservoir under its ownership?"

	<p>2. “What opinion, if any, does the council have regarding the various appeals and dispute mechanisms in the Bill?”</p> <p>The Councils Insurance and Risk Officer has provided the answer to Q1 as follows:-</p> <p>Belfast City Council presently purchases commercial insurance protection for public liability risks arising from the ownership and use of all reservoirs that are located on council land or in council parks.</p> <p>This insurance covers the cost of claims arising from the failure of, or defects in reservoirs which causes loss, or injury to members of the public and/or damage to their property.</p> <p>The insurance only applies in so far as the council can be held legally responsible for the loss, damage or injury so caused.</p> <p>The insurance protection is for £50M.</p> <p>In response to question 2, Reservoirs are designated as High, Medium or Low risk by the Department of Agriculture and Rural Development and within the proposed Bill, Clauses 17 to 21 (See Appendix 3) allow Reservoir owners to appeal against that designation.</p> <p>Council officers have considered the risk designation of Reservoirs owned by the Council and would categorise them all as high given the proximity to residential areas. Action plans are currently being developed in line with this designation. It is the view of officers that whilst the appeal mechanism is necessary this will not be relevant to Belfast City Council and will more likely be used by private owners.</p>
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3.0	Resource Implications
	None

4.0	Equality Implications
	None

5.0	Recommendations
	Members are asked to give authority to the Director of Parks and Leisure to reply as requested to the Committee for Agriculture and Rural Development in accordance with the above.

6.0	Decision Tracking
	Committee decision to be implemented by the Director of Parks and Leisure

7.0	Key to Abbreviations
	None

8.0	Documents Attached
	Appendix 1 Invitation to attend Committee Appendix 2 Briefing Paper Appendix 3 Excerpt from Reservoirs Bill