

*These notes refer to the Water and Sewerage Services Act (Northern Ireland) 2016 (c.7) which received Royal Assent on 23 March 2016*

# Water and Sewerage Services Act (Northern Ireland) 2016

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 5: Refusal of surface water connection***

Section 5 introduces new restrictions to the right to connect surface water sewers to the public sewer network. At present NI Water has power under Article 163 of the 2006 Order to refuse to allow a surface water connection on the grounds of unsatisfactory construction of the drain or sewer proposed for connection or that making the connection would be prejudicial to the existing public sewerage system. The Section extends this power so as to enable NI Water to take account of any upstream sustainable drainage system which is connected to the drain or sewer which is it is proposed to connect to the public sewer. Section 5 also sets out a further ground for refusal, on the basis that there is a suitable alternative means of dealing with the surface water or that such a means could reasonably be provided. The Section also makes clear that suitable alternative means of dealing with the surface water (which can be a ground for refusal) include natural features and other arrangements that are commonly known as “soft sustainable drainage systems”.