

Amendment 72

Moved by Lord Harrison

72: After Clause 29, insert the following new Clause—

“Duty to provide a supply of water etc for fire fighting

(1) The Water Industry Act 1991 is amended as follows.

(2) In section 57 (duty to provide a supply of water etc for fire fighting), at the end of subsection (1) there is inserted “, including service pipes connected from those mains to consumers’ premises, where equipment is installed for extinguishing fires such as fire suppression systems, and this water may be taken via manually operated or automatic apparatus.””

Lord Harrison (Lab): My Lords, I must apologise to the House and to my own Front Bench for bringing this matter before them not in Committee but on Report, and for not having had the opportunity fully to brief them. However, as my head hurts trying to understand the amendment that I am about to move, perhaps I may explain why I am in this current state.

The issue is this. As I understand it, water connections made through fire suppression systems—which, in the form of sprinklers, have become the new kid on the block, as it were, in recent years—are now classified as non-domestic supply. That in turn means that the water companies, which are exercising discretion on the matter, can attach conditions which are deleterious to our objective of promoting access to water supplies for the purpose of firefighting.

Indeed, there is a patchwork of reactions from water companies across the land. I understand that some companies, because they charge the connection out to some other supplier, charge as much as £3,000 a time, whereas in Scotland, for instance, where we are told that it is a matter of very few coppers to attach the system to the water sprinkler system, no such charges are made.

The problem has been growing over the years and was in part dealt with by a protocol signed off by the then Minister, my noble friend Lord Knight who, unfortunately, is not in his place this evening. That protocol tried to get a balance between the water companies and ensuring the water supply for the purposes of fire suppression. Time has passed since that 2004 protocol, which is why I seek to change Section 57 to ensure that the legitimate use of water to fight fires is clarified and made absolutely apparent.

In doing so, I must thank the noble Lord, Lord De Mauley, and the noble Baroness, Lady Northover, for agreeing to meet me and some of my colleagues recently to get their advice. I should be very grateful if, in response to this probing amendment, we could have a reply that gives some hope that this matter, which we had hoped to have dealt with in the House of Commons by Dan Rogerson, can be dealt with here—albeit that it is a matter that has been brought late into the games.

I should also say that the cost of hydrants, which are available outside buildings to be accessed to suppress fires, are not apparent in the same way as some water companies are now charging those who want access to a sprinkler system. We now have a body of evidence that shows that the fixing of sprinkler systems has been successful in suppressing fires. The problem that

25 Mar 2014 : Column 494

we now have is that sometimes people resist fitting sprinkler systems. I would be very grateful for any hope that the Minister can give me that this could be dealt with sympathetically, and how.

Lord De Mauley: My Lords, I am so grateful to the noble Lord, Lord Harrison, for tabling the amendment and bringing this important matter to the attention of your Lordships. I well know that the noble Lord is an active member of the All-Party Parliamentary Group on Fire Safety & Rescue. He kindly brought the honorary secretary of the group, Ronnie King, to see me last week so that I could hear more about this matter, and I am very grateful for that opportunity. Mr King was a senior firefighter and has now dedicated himself to trying to save even more lives by campaigning on issues of fire safety. He wants more people to install sprinklers. He wants the barriers that might stand in the way of the installation of more sprinklers to be knocked down. The amendment would result in fire suppression systems, known to most of us as fire sprinklers, being referred to explicitly in legislation as water for firefighting.

I understand that a key driver behind the amendment is the problems that can arise between fire sprinkler installers and water undertakers when connections for fire sprinkler systems are required. Those problems include undertakers requiring meters to be installed on the connections, smaller connection sizes than would be ideal for the fire sprinkler system and requirements for internal storage.

6.45 pm

The intention behind the amendment is to refer explicitly to fire sprinklers in the legislation to make those conversations easier and therefore facilitate more fire sprinkler installations. As fire sprinklers are not referred to directly as water for fire-fighting, they can default to being classified as water for non-domestic use.

I am happy to put the facts on the record. The Water Industry Act 1991 already states that water companies cannot charge for water for firefighting, so water used in fire sprinklers cannot be charged for. I do not believe that fire sprinklers need to be explicitly referred to in the legislation to be counted as providing water for firefighting. Plainly, that is what they do.

That is not to say that there is not a problem here, but I must say that I think that the problems which we have been made aware of would not be affected by whether fire sprinkler connections were explicitly defined in legislation as connections for firefighting. The water industry and the fire sprinkler industry have worked together to create a voluntary protocol, with the aim of it being used to inform individual water companies' policy on connections for fire sprinklers. The protocol is designed to assist the conversations between water companies and fire sprinkler installers by providing guidelines regarding the requirements for connections.

I am aware that a previous version of this protocol was not always followed by companies, and that has led to the revision of the document. I put on record that the Government are very supportive of that

25 Mar 2014 : Column 495

document. I propose to write to all the water undertakers to demonstrate that support and to encourage them to update their policy documents.

Having heard about those problems for myself, I have asked my officials to follow this up with Water UK, the body which represents all the water companies. Water UK also supports the protocol and wants to make sure that it works. It recognises that, although all the chief executives of water companies are signed up to the protocol, we need to make sure that its guidelines are properly understood at an operational level. Water UK wants to work with us and the water companies to ensure that the protocol is followed and to eliminate those problems.

I hope that I have managed to reassure the noble Lord, Lord Harrison, and hope that he will feel able to withdraw his amendment.

Lord Harrison: My Lords, I am extremely grateful for that reply, the clarification that the Minister has offered and his offer to work closely with the parties involved. In the light of that positive response, I beg leave to withdraw the amendment.

Amendment 72 withdrawn.