



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

MINUTES OF PROCEEDINGS

THURSDAY, 5 NOVEMBER 2015

SENATE CHAMBER, PARLIAMENT BUILDINGS

Present: Mrs Pam Cameron MLA (Deputy Chairperson)
Mr Cathal Boylan MLA
Mr William Irwin MLA
Mr Alban Maginness MLA
Mr Barry McElduff MLA
Mr Gary Middleton MLA
Mr Ian Milne MLA
Mrs Sandra Overend MLA
Lord Morrow MLA

In Attendance: Miss Ciara McKay (Assembly Clerk)
Mr Mark McQuade (Assistant Clerk)
Mr Neil Sedgewick (Clerical Supervisor)
Ms Stephanie Mallon (Bill Clerk – agenda item 6)

Apologies: Ms Anna Lo MLA (Chairperson)
Mr Colum Eastwood MLA

The meeting opened in public session at 10.05am with the Deputy Chairperson in the Chair.

1. Apologies.

The apologies are noted above.

2. Chairpersons Business

The Committee noted correspondence from Field Studies Council

Agreed: The Committee agreed to defer consideration of the correspondence until its next meeting.

The Committee noted an invitation from the Chairs of the Environment and Education Committees for a reception on Thursday 12 November for Eco Schools National Operators.

3. Minutes

The minutes from the meeting held on 22nd October 2015 were agreed.

4. Matters arising

The Committee noted a response from the Department on the impact on jobs and energy costs as a result of a ban on fracking.

Agreed: The Committee agreed to write to the Department for further information on the decision to ban fracking.

The Committee noted a response from the Department on what action it is taking to combat the spread of Japanese Knotweed and correspondence from Ms Atkinson regarding concerns about the spread of knotweed.

Agreed: The Committee agreed to write to the Department for further information on measures the Department is taking to ensure Japanese Knotweed is included in the Concern List of the EU Directive on Invasive Alien Species and for further information on raising awareness. Further to the correspondence from Ms Atkinson, the Committee agreed to write for an update.

The Committee noted a response from the Department regarding establishing an independent environment agency.

Mr McElduff joined the meeting at 10.14am.

The Committee noted an update from the Department regarding the Health and Safety Executive Northern Ireland's investigation into the collapse of a wind turbine at Screggagh, Co Tyrone.

Agreed: The Committee agreed to write to the Department for further information on the cause of the incident; the safety measures that were taken; and the role of the Health and Safety Executive Northern Ireland in the investigation.

Mr Irwin joined the meeting at 10.22am.

The Committee noted a response from the Department regarding the building of anaerobic digesters in settled areas around villages.

Agreed: The Committee agreed to write to the Department regarding the application of consistency in planning decisions by local councils.

The Committee noted a response from the Department on the ReNEW Report into the Circular Economy in NI

The Committee noted a response from the Department on the estimated costs for cleaning the Brickkiln waste site.

5. The Local Government (Numbers and Addresses of Buildings in Townlands) Bill

Mr Flanagan joined the meeting at 10.24am.

The Committee took evidence on the proposed Bill from:
Mr Phil Flanagan MLA

Mrs Overend joined the meeting at 10.28am.

Mr Flanagan left the meeting at 11.28am.

6. Environmental Better Regulation Bill - Deliberation of clauses

Officials joined the meeting at 11.30am.

Mr Robert Gray Regulatory and Natural Resources Policy Division

Mr Dave Foster Director, Regulatory and Natural Resources Policy
Division

The Committee noted that it had considered clauses 1 to 27 at its meeting on 22nd October 2015 and was content with clauses 1, 2, 4, 6, 7, 9-11, 14-27 and schedules 2 & 3.

The Committee noted a response from the Department to issues raised on clauses 3, 5, 8, 12, 13 and schedule 1.

The Committee carried out an informal deliberation of the following clauses while officials remained in attendance:

Clause 3 - Regulations relating to protecting and improving the environment: consultation

The Committee noted the wording of the final amendment to Clause 3 proposed by the Department.

Agreed: The Committee agreed that it was content with the Department's proposed amendment on this clause.

Clause 5 – Interpretation

Agreed: The Committee agreed that it was content with the Department's explanation of this clause in the Explanatory and Financial Memorandum.

Agreed: The Committee agreed that it was content with this clause as drafted.

Clause 8 - Rewriting powers of entry

Agreed: The Committee agreed that it was content with the Department's explanation of the amendment to this clause in the Explanatory & Financial Memorandum.

Agreed: The Committee agreed that it was content with the Department's proposed amendment on this clause.

Clause 12 - Code of practice in relation to powers of entry

Mr Middleton left the meeting at 11.43am.

Mr Milne left the meeting at 11.43am.

Agreed: The Committee agreed that it was content with the Department's proposed amendment on this clause.

Clause 13 – Interpretation

Agreed: The Committee agreed that it was content with the Department's explanation of this clause in the Explanatory and Financial Memorandum.

Agreed: The Committee agreed that it was content with this clause as drafted.

Schedule 1 - Matters for, or in connection with, which regulations may be made under section 2

Mr Middleton rejoined the meeting at 11.51am.

Agreed: Officials agreed to seek advice regarding the Department's retention of paragraph 1(2) and 1(3) in Schedule 1, and to provide an update to the Committee.

The Committee noted the Department's intention to table a further amendment to the Bill and the background of this amendment.

Agreed: Officials agreed to provide the Committee with the wording of the amendment as soon as possible.

Officials left the meeting at 11.59am.

7. Environmental Better Regulation Bill - Formal Clause by Clause consideration

The Committee deferred consideration of the formal clause by clause until its next meeting.

8. Draft SR - The Draft Local Government (Standing Orders) Regulations (Northern Ireland) 2015 - Departmental briefing

Officials joined the meeting at 11.59am.

The Committee was briefed by:

Ms Julie Broadway Local Government Policy Division, DOE

Ms Brenda Kelly Local Government Policy Division, DOE

Mr Irwin left the meeting at 12.08pm.

Mr Milne rejoined the meeting at 12.14pm.

Mr McElduff left the meeting at 12.14pm.

Agreed: The Committee agreed to defer its consideration of the rule until the Department agrees its position regarding how the proposal for a panel of solicitors might be administered.

Officials left the meeting at 12.22pm.

The Committee suspended at 12.22pm

The Committee resumed at 12.27pm

Mr Maginness joined the meeting at 12.27pm.

9. NIEA briefing on River Basin Management Plans

Officials joined the meeting at 12.27pm.

The Committee was briefed on the proposed final river basin management plans by:

Mr Dave Foster	Director of Regulatory and Natural Resources Policy Division, DOE
Mr Kerry Anderson	Principal Scientific Officer North West River Basin District Manager, NIEA
Mr Eamon Campbell	Head of Water Policy Unit and Finance & Co-ordination Regulatory and Natural Resources Policy Division
Ms Wendy McKinley	Principal Scientific Officer Water assessment Data and Evidence, NIEA

Mr Maginness left the meeting at 1.07pm.

Officials left the meeting at 1.17pm.

Agreed: The Committee agreed that it was content that the Minister presents the final plans to the Executive.

The Committee noted correspondence from the Assembly's EU Affairs Manager drawing its attention to a UK case in the European Commission's October infringements package.

Agreed: The Committee agreed to forward this to the Department for a response to the issues raised.

10. Synopsis of Responses to consultation on amendments to the Government Guidance on the Waste Batteries and Accumulators Regulations 2009

The Committee considered a synopsis of responses to the on amendments to the Government Guidance on the Waste Batteries and Accumulators Regulations 2009.

Agreed: The Committee agreed that it was content that the Department proceed to prepare the guidance.

11. Synopsis of Responses to consultation on the extension of the DVTA Trading Fund

The Committee considered a synopsis of responses to the consultation on the extension of the DVTA trading fund.

Agreed: The Committee agreed that it was content that the Department proceed to draft the SLI for this legislation.

12. Synopsis of Responses to consultation on Waste Management Waste Licensing (Amendment No. 2) Regulations (Northern Ireland) 2015

The Committee considered a synopsis of responses to the consultation on Waste Management Waste Licensing (Amendment No. 2) Regulations (Northern Ireland) 2015.

Agreed: The Committee agreed that it was content that the Department proceed to draft the SL1 for this legislation.

13. Synopsis of Responses to consultation on the Waste Management Licensing (Amendment No 3) Regulations (NI) 2015

The Committee considered a synopsis of responses to the consultation on the Waste Management Licensing (Amendment No 3) Regulations (NI) 2015.

Agreed: The Committee agreed that it was content that the Department proceed to draft the SL1 for this legislation.

14. SL1 - The Local Government Pension Scheme (Amendment No.3) Regulations (Northern Ireland) 2015

The Committee considered the Local Government Pension Scheme (Amendment No.3) Regulations (Northern Ireland) 2015.

Agreed: The Committee agreed that it was content for the Department to proceed with the proposed statutory rule.

15. SL1 - The Private Water Supplies (Amendment) Regulations (Northern Ireland) 2015

The Committee considered the Private Water Supplies (Amendment) Regulations (Northern Ireland) 2015.

Agreed: The Committee agreed that it was content for the Department to proceed with the proposed statutory rule.

Agreed: The Committee agreed to write to the Department requesting a copy of the synopsis of responses to the consultation on the Private Water Supplies (Amendment) Regulations (Northern Ireland) 2015; and an explanation for the delays in bringing the proposed legislation forward.

16. Correspondence

The Committee noted correspondence from Mr Wright regarding the monitoring of PM2.5 carcinogens.

Agreed: The Committee agreed to forward the correspondence to the Department for a response to the issues raised.

The Committee noted correspondence from West Tyrone Against Wind Turbines providing a copy of their submission to DETI's NIRO consultation.

Agreed: The Committee agreed to forward the correspondence to the Committee for Enterprise, Trade and Investment.

The Committee noted correspondence from a member of the public regarding pollution close to her home and in a local river.

Agreed: The Committee agreed to forward the correspondence to NIEA and NI Water for a response to the issues raised

The Committee noted an update from the Department on the draft Marine Plan.

The Committee noted a report laid in the Business Office from the Department on the Marine Plan Process in Northern Ireland.

Agreed: The Committee agreed to defer consideration of the Department's report on the Marine Plan Process; and to consider it as a main agenda item.

The Committee noted correspondence from Autoline regarding a road safety initiative.

Agreed: The Committee agreed that the Committee Clerk would seek further information on the initiative.

The Committee noted the ISNI Report for October 2015.

Agreed: The Committee agreed to write to the Department for information on a pre-procurement for the construction of new DVA test centres infrastructure project.

The Committee noted a response from the Department to the Committee for Regional Development regarding Sustainable Drainage.

The Committee noted correspondence from the Department on the 7th UK Committee on Climate Change Annual Report.

The Committee noted an update from the Department on the George Best Belfast City Airport Planning Agreement.

The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the Vulnerable Persons Relocation Scheme.

The Committee noted correspondence from the Assembly EU Affairs Manager regarding a Meet Your MEP event.

The Committee noted the Sustrans network newsletter, October 2015

The Committee noted the Climate Northern Ireland newsletter.

17. Forward Work Programme

The Committee noted its Forward Work Programme.

18. Any Other Business

No other business was discussed.

19. Date, Time and Place of next meeting.

The Committee noted that an additional meeting will be held at 1.00pm on Tuesday 10th November 2015 in Room 21, Parliament Buildings, followed by a meeting at 10.00am on Thursday 12th November 2015 in the Senate Chamber, Parliament Buildings.

The Deputy Chairperson adjourned the meeting at 1.29pm.

**Anna Lo, MLA
Chairperson, Committee for the Environment
12 November 2015**