



Northern Ireland
Assembly

**COMMITTEE FOR INFRASTRUCTURE
MINUTES OF PROCEEDINGS**

WEDNESDAY, 16 DECEMBER 2020

SENATE CHAMBER, PARLIAMENT BUILDINGS

Present: Ms Michelle McIlveen MLA (Chairperson)
Mr David Hilditch MLA (Deputy-Chairperson)
Ms Martina Anderson MLA
Mr Roy Beggs MLA
Mr Cathal Boylan MLA
Mr Keith Buchanan MLA
Mrs Dolores Kelly MLA (*via Starleaf*)
Ms Liz Kimmins MLA (*via Starleaf*)
Mr Andrew Muir MLA

Apologies: None

In Attendance: Mrs Cathie White (Assembly Clerk)
Mr Johnny Lawless (Clerical Supervisor)
Mr William Kinnear (Clerical Officer)

The meeting commenced in closed session at 10:02 am.

1. Assembly Legal Services - Planning Act 2011 (Review) Regulations (Northern Ireland) 2020

The Assembly Legal Adviser joined the meeting at 10:02 am.

Ms Maeve Corrigan, Assembly Legal Advisor

The legal advisor provided the Committee with an oral briefing.

The Chairperson thanked the legal advisor for her attendance.

The Assembly Legal Adviser left the meeting at 10:12 am.

The meeting moved in open session at 10:13 am.

2. Apologies

As above.

3. Chairpersons Business

Agreed: The Committee agreed to write to the Minister for Infrastructure requesting an explanation in relation to the guidance for provision of information from Departments in relation to the In-Year Monitoring of Public Expenditure 2020-21 Guidelines provided by Department of Finance to all Departments.

Agreed: The Committee agreed to write to the Minister for Infrastructure emphasising the Committee's concern for drivers, operators and their employees in the Taxi Sector. The Taxi industry is facing extreme hardship due to the impact of the pandemic and the failure of the criteria for the current scheme for taxi drivers and the lack of a scheme specifically for Taxi Operators is an urgent matter that needs immediate attention.

Agreed: The Committee agreed to write to the Committee for Finance to advise them that the Department for Infrastructure has failed to comply with the guidance for the In-year Monitoring of Public Expenditure 2020-21.

Agreed: The Committee agreed to issue a press release voicing its concern about the cancelation of Departmental briefings by the Minister.

Agreed: The Committee agreed that the Chairperson contact the Minister for Infrastructure in relation to the taxi driver grant scheme and to stress the urgency in getting the situation resolved.

Mrs Dolores Kelly expressed her objection to the issuing of a press release in relation to cancelling the January Monitoring Round briefing and a briefing from officials on the lack of a financial scheme for Taxi operators.

4. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Wednesday 9 December 2020.

5. Matters Arising

None.

6. Correspondence

Correspondence from the Minister for Infrastructure regarding a Statement to The Assembly on North South Ministerial Council Inland Waterways Meeting held on 11 November 2020.

Agreed: The Committee agreed to note the correspondence.

Copy correspondence from the Committee for the Economy to the First Minister and deputy First Minister regarding the impact of Covid-19 on student mental health, welfare and well-being.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Minister for Infrastructure providing notification of her decision on Planning application LA03/2018/0605/O.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Mr Jim McKeown regarding concerns in relation to the Review of the Planning Act.

Agreed: The Committee agreed to note the correspondence and forward it to the Department for information and comment.

Correspondence from Bus & Coach NI Ltd regarding concerns in relation to the financial support scheme for bus/coach operators.

Agreed: The Committee agreed to schedule a briefing along with representatives of the Bus and Coach operators in the forward work programme.

Copy of the Examiner of Statutory Rules Sixteenth Report of the 2020-2021 Session.

Agreed: The Committee agreed to note the report.

Response from Central Procurement Directorate to Committee correspondence following the briefing by the Ministerial Advisory Panel on Infrastructure.

Agreed: The Committee agreed to note the response.

Correspondence from the Department for Infrastructure regarding the appointment of Chair to the Board of Warrenpoint Harbour Authority.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Committee for Justice regarding the Committee Stage of the Criminal Justice (Committal Reform) Bill – Call for Evidence.

Agreed: The Committee agreed to note the correspondence and provide a nil return.

Copy correspondence from the Department for Infrastructure to Safety Before LNG regarding petroleum licensing applications.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Sarah Campbell regarding the driving test backlog as a result of COVID-19.

Agreed: The Committee agreed to note and forward the correspondence to the Department for information.

Correspondence from Pivotal providing a copy of their Report on Education, Training and Skills for young people aged 14-19 years old.

Agreed: The Committee agreed to note the correspondence.

Copy correspondence from the Committee for Justice to The Executive Office regarding health protection regulations.

Agreed: The Committee agreed to note the correspondence.

Copy correspondence from the Department for Communities regarding SR 2020-249 The Taxi Driver (Coronavirus Financial Assistance) Regulations (Northern Ireland) 2020.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Mr Gerry Diver regarding issues in relation to the COVID-19 grant for taxi drivers

Agreed: The Committee agreed to note the correspondence.

Response from the Minister for Infrastructure to issues arising from the Committee meeting on 25 November 2020.

Agreed: The Committee agreed to note the correspondence.

Copy correspondence from the Committee for the Economy to The Executive Office in relation to access to Part 2 of the CRBSS for taxi drivers.

Agreed: The Committee agreed to note the correspondence.

Department for Infrastructure written briefing paper on 2020-2021 In Year Monitoring and Budget 2021-2022.

Agreed: The Committee agreed to note the correspondence.

Copy correspondence from the Committee for the Economy to the Minister for Infrastructure requesting planning officials to brief the Committee.

Agreed: The Committee agreed to note the correspondence.

7. Subordinate Legislation - SL1s - Not Subject to Assembly Proceedings

- The Committee considered the following SL1 not subject to any Assembly proceedings.
 - SL1 - The Prohibition of Waiting (Schools) Order (Northern Ireland) 2020

Agreed: The Committee agreed that it was content with the proposals for the Statutory Rule.

8. Subordinate Legislation - SRs - Not Subject to Assembly Proceedings

- The Committee considered the following SRs not subject to any Assembly proceedings.
 - SR 2020-311 The Parking and Waiting Restrictions (Donaghmore) Order (Northern Ireland) 2020
 - SR 2020-312 The Parking Places on Roads and Waiting Restrictions (Cookstown) (Amendment) Order (Northern Ireland) 2020
 - SR 2020-314 The Waiting Restrictions (Lisburn) (Amendment) Order (Northern Ireland) 2020
 - SR 2020-315 The Parking Places on Roads (Coaches) (Amendment) Order (Northern Ireland) 2020
 - SR 2020-316 The Parking and Waiting Restrictions (Londonderry) (Amendment) Order (Northern Ireland) 2020

Agreed: The Committee agreed to note the Statutory Rules

9. SR 2020-300 The Planning (Environmental Assessments and Technical Miscellaneous Amendments) (EU Exit) Regulations (Northern Ireland) 2020

Departmental officials joined the meeting at 10:44 am.

Mr Brian Gorman, Planning Policy Division (via Starleaf)

Mr Ronan McCrory, Planning Policy Division (via Starleaf)

The Committee considered SR 2020-300 The Planning (Environmental Assessments and Technical Miscellaneous Amendments) (EU Exit) Regulations (Northern Ireland) 2020. The purpose of the rule is to make the necessary technical miscellaneous changes, which arise as a result of the UK leaving the European Union, including miscellaneous reference amendments and updating EU legislative references to ensure planning legislation remains operable and legally certain post IP completion day.

The Departmental officials left the meeting at 10:52 am.

Agreed: The Committee considered SR 2020-300 The Planning (Environmental Assessments and Technical Miscellaneous Amendments) (EU Exit) Regulations (Northern Ireland) 2020, and, subject to the Examiner of Rules has no objection to the rule.

10. SL1 - The Regulation (EC) No 1370/2007 (Public Service Obligations in Transport) (Revocation) (EU Exit) (Northern Ireland) Regulations 2020he Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2020

The Departmental officials joined the meeting at 10:52 am.

*Mrs Linda MacHugh, Acting Deputy Secretary
Mrs Bernie Rooney, Director Gateways and EU Relations
Mr Graeme Banks, Gateways and EU Relations*

The Departmental officials provided the Committee with an oral briefing.

A question and answer session followed.

The Committee considered SR 2020-292 The Planning (General Permitted Development) (Amendment) Order (Northern Ireland) 2020. The SR sets out types of development which can be undertaken without requiring a planning application.

Mr Roy Beggs indicated he did not support the proposal.

Agreed: The Committee agreed that it was content with the proposal for the Statutory Rule.

11. Departmental Briefing – Common Frameworks

The Departmental officials were joined by Mr Brian Gorman, Planning and Policy Division at 11:12 am. (via Starleaf)

The Departmental officials provided the Committee with an oral briefing.

The oral evidence session was reported by Hansard.

A question and answer session followed.

Agreed: The Departmental officials agreed to provide information on Section 12 freezing powers that exist as part of Common Frameworks legislation enacted by UK Government. This enables the UK Government at Whitehall to intervene and use powers for Devolved Governments. Are officials aware of any terms associated with use of these powers or can they be used unilaterally.

Ms Liz Kimmons and Mrs Dolores Kelly left the meeting at 12:00 pm.

Agreed: The Departmental officials agreed to provide the Committee with statistical information on the number of driver permits available to hauliers and how many were actually required.

The Chairperson thanked the Departmental officials for their attendance.

The Departmental officials left the meeting at 12:27 pm.

Agreed: The Committee agreed to write to relevant Committees in the devolved legislations and the Republic of Ireland in relation to their deliberations on the Common Frameworks.

Agreed: The Committee agreed to copy correspondence from the House of Lords Common Frameworks Scrutiny Committee to the Department highlighting concerns raised regarding the lack of stakeholder engagement for information.

Agreed: The Committee agreed to write to the Minister for Infrastructure offering its support in progressing the Frameworks and seek clarity on the timetable for the Frameworks coming to the Committee in adequate time to fully scrutinise their content.

12. Forward Work Programme

The Committee considered the Draft Forward Work Programme.

Agreed: The Committee agreed the Forward Work Programme as amended.

Agreed: The Committee agreed to schedule additional meetings to deal with the common frameworks.

Agreed: The Committee agreed to schedule a mini strategic planning meeting on Wednesday 13 January 2020.

13. Any Other Business

None.

14. Date, Time and Place of next meeting

The Committee agreed that the next meeting would be on Wednesday, 13 January 2021 at 10:00 am in the Room 29, Parliament Buildings.

The Committee adjourned at 12:31 pm

Ms Michelle McIlveen MLA
Chairperson, Committee for Infrastructure

13 January 2021