



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

MINUTES OF PROCEEDINGS

THURSDAY, 7 NOVEMBER 2013

SENATE CHAMBER, PARLIAMENT BUILDINGS

- Present: Ms Anna Lo MLA (Chairperson)
Ms Pam Brown MLA (Deputy Chairperson)
Mr Cathal Boylan MLA
Mr Colum Eastwood MLA
Mr Tom Elliott MLA
Mr Alban Maginness MLA
Mr Ian McCrea MLA
Mr Barry McElduff MLA
Lord Morrow MLA
Mr Ian Milne MLA
Mr Peter Weir MLA
- In Attendance: Mrs Sheila Mawhinney (Assembly Clerk)
Mr Sean McCann (Assistant Assembly Clerk)
Mr Neil Sedgewick (Clerical Supervisor)
Ms Antoinette Bowen (Clerical Officer)
- Apologies: None

The meeting began in public session at 10:10am.

1. Apologies

Apologies were as indicated above.

2. Chairperson's Business

The Chairperson discussed with members the options for holding a stakeholder forum in relation to the Local Government Bill.

Agreed: The Committee agreed to hold the stakeholder forum in relation to the Local Government Bill in the Long Gallery, Parliament Buildings, on 28 November 2013.

The Chairperson advised members of invitations she had received to speak at two seminars on 28 November and 5 December 2013 in the 2013-14 Knowledge Exchange Seminar Series.

Agreed: The Committee agreed that it was content for the Chairperson to accept these invitations.

Mr McElduff joined the meeting at 10:17am

The Chairperson advised members that a meeting with the Permanent Secretary and senior officials had been arranged for Tuesday 12 November 2013.

Agreed: The Committee agreed that Members should submit any relevant agenda items to Committee staff in advance of the meeting.

Mr Eastwood joined the meeting at 10:20am

Mr Milne joined the meeting at 10:21am

3. Draft Minutes

The minutes from the meeting of 24th October 2013 were agreed.

4. Matters Arising

4.1 The Committee noted the 4th and 5th tranches of Departmental guidance to Statutory Transition Committees, together with a revised version of the 3rd tranche.

4.2 The Committee discussed a Departmental response to a request for further information on the European Commission's work plans.

Agreed: The Committee agreed to write to the Department expressing its disappointment at the reply and requesting further details on the funding opportunities available under the areas of climate change and energy.

4.3 The Committee noted a Departmental reply regarding the mutual recognition of penalty points between the Republic of Ireland and Northern Ireland.

Mr McCrea left the meeting at 10:28am

4.4 The Committee noted a Departmental reply regarding engagement with the EU process for the proposed Directive to establish a framework for maritime spatial planning.

Mr McCrea re-joined the meeting at 10:29am

4.5 The Committee discussed a Departmental update on the progress of the implementation of the Action Measures in the Road Safety Strategy to 2020.

Agreed: The Committee agreed to request a Departmental briefing on the Road Safety Strategy at a future meeting.

4.6 The Committee noted a Departmental reply detailing how the provisions of the Planning Bill will be implemented.

4.7 The Committee discussed a Departmental reply regarding the protection and enhancement of Areas of Outstanding Natural Beauty (AONBs).

Agreed: The Committee agreed to write to the Department for further information on a perceived disparity in funding between AONBs. The Committee also agreed to ask for further details on the work carried out by NIEA staff, a breakdown of

expenditure for each AONB and how many AONB trusts there are in relation to the existing number of AONBs.

Agreed: The Committee also agreed to forward the Department's response to the Council for Nature Conservation and the Countryside for comment.

4.8 The Committee considered a Departmental response to queries raised in relation to the Report on the Protocol for the Care of the Government Historic Estate in Northern Ireland.

Agreed: The Committee agreed that the Department should be more proactive in monitoring the work of other departments and suggested that the Department should consider the introduction of a monitoring mechanism for compliance with the Protocol.

5. Briefing by Professor Geraint Ellis on Wind Energy

Professor Geraint Ellis, Queen's University, Belfast, briefed the Committee on Wind Energy and the relevant issues surrounding this source of renewable energy.

Mr Elliott joined the meeting at 10:54am

Mr Weir left the meeting at 10:58am

The main areas discussed were separation distances from turbines, community benefit and planning issues.

The Committee noted written submissions from members of the public in relation to the review.

Mr McElduff left the meeting at 11:23am

Mr Eastwood left the meeting at 11:32am

Agreed: The Committee agreed that it would not complete this Review but that it would instead carry out a full inquiry with the same Terms of Reference. The Committee also agreed that the closing date for submissions would be determined at its next meeting.

The Committee noted an invitation from SSE Renewables to attend the opening of Slieve Kirk Wind Park.

Mr Boylan left the meeting at 11:48am

Mr Maginness left the meeting 11:49am

The Chairperson suspended the meeting for a short break at 11:51am.

The meeting resumed in public session at 11:54am. The following members were in attendance: Ms Anna Lo MLA (Chairperson), Ms Pam Brown MLA (Deputy Chairperson), Mr Tom Elliott MLA, Mr Ian McCrea MLA, Mr Ian Milne MLA and Lord Morrow MLA

6. Local Government Staff Commission

The Committee considered correspondence from the Minister announcing his intention to wind up the Local Government Staff Commission in April 2014, together with a synopsis of responses to the public consultation.

Mr Maginness re-joined the meeting at 11:55am

Mr Eastwood re-joined the meeting at 11:55am

Agreed: The Committee was content to note this correspondence pending a briefing from the Department at its next meeting.

7. Consultation on a draft Strategy for Marine Protected Areas in the Northern Ireland inshore region

The Committee considered a synopsis of responses to the draft Strategy for Marine Protected Areas in the Northern Ireland inshore region.

Agreed: The Committee was content for the Department to proceed to publish the Strategy.

Mr Boylan rejoined the meeting at 11:57am

8. Consultation on Noise Policy Statement for Northern Ireland

The Committee considered a consultation paper on a proposed Noise Policy Statement for Northern Ireland.

Agreed: The Committee was content to request a copy of the synopsis of responses to the consultation.

9. Consultation on draft guidance on selection and designation of Marine Conservation Zones

The Committee considered a consultation document on draft guidance on selection and designation of Marine Conservation Zones.

Agreed: The Committee agreed to request a report of the Departmental workshop held on 7th November 2013 as part of this consultation.

10. Departmental briefing on the consultation on proposed changes to planning fees

Angus Kerr (Director, Planning Policy Division), Katie Rice (Planning and Policy) and Joy Hargie (Planning and Policy) briefed the Committee on proposed changes to planning fees following the outcome of its consultation on Phase 2 of the Review.

The main areas discussed were the need for increases and the position of not-for-profit organisations.

Agreed: The Committee asked to be kept updated on the proposed policy and for a response to the issues raised during the briefing session.

11. SL1 The Controlled Waste (Seizure of Property) Regulations (Northern Ireland) 2013

Agreed: The Committee was content for the Department to proceed to make the Rule.

12. SR 2013/248 The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2013

Question put and agreed:

'The Committee for the Environment considered SR 2013/248 - The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2013 and has no objection to the Rule, subject to the next report from the Examiner of Statutory Rules.'

13. Ministerial response to final Committee inquiry report into management of used tyres.

The Committee considered the Minister's response to the final report of the Committee on its inquiry into the management of used tyres.

Agreed: The Committee agreed to publish the response on its website.

14. Initial clause by clause consideration of the Carrier Bags Bill

Donald Starritt (Carrier Bag Levy, Head of Policy and Legislation Team) and Jennifer McCay (Carrier Bag Levy, Policy and Legislation Team) attended the briefing to discuss outstanding issues in relation to the Carrier Bags Bill.

The Committee noted a Departmental response regarding the possibility of deferring the commencement of the legislation.

Mr Eastwood left the meeting at 12:24pm

The Committee noted details provided by the Department of an amendment to clause 9, requested by the First Minister to introduce a provision for an ad hoc review of exemptions.

The Committee noted further Departmental correspondence on the carrier bag levy in Wales.

Mr Weir re-joined the meeting at 12:27pm

Clause 1 – Extension of the 2008 Act to carrier bags

Agreed: The Committee agreed to request the Department to consider an amendment to the Bill, rather than to Regulations, to specify the date of the implementation of clause 1.

Agreed: The Committee also requested detailed information on the Department's plans and timetable for communicating the proposed changes to consumers.

Clause 2 – Regulations under Schedule 6 to the 2008 Act

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 3 – Requirement to charge

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 4 – Sellers

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 5 – Payment of the charge

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 6 – Carrier bags defined by price

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 7 – Records and enforcement

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 8 – Civil sanctions

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause.

Clause 9 – Review

Agreed: The Committee agreed that there were no further issues it wished to raise and that it was broadly content with the clause subject to the amendment proposed by the First Minister.

Clause 10 – Short title

Agreed: The Committee agreed that it was broadly content with the clause.

15. Correspondence

The Committee noted the following correspondence:

Correspondence from Causeway Communities Consortium regarding concerns about amendments 20 and 26 of the Planning Bill and changes to Agricultural Permitted Development Rights.

Correspondence from the OFMdfM Committee regarding the Joint Ministerial Council (Europe).

Correspondence from the OFMdfM Committee in relation to the Implementation Report on the Executive's EU Priorities 2012-13 and also a statement of the EU Priorities 2013-14.

Copy of correspondence from the CAL Committee to the Minister of the Environment regarding the Review of Archaeological Archives.

Copy of the latest issue of Reform Inform.

Departmental letter informing the Committee of the NIEA intention to publish on its website the 2012 compliance data for water utility discharges from Northern Ireland Water Limited (NIW), and those private companies that operate water and wastewater treatment works under Public Private Partnership (PPP) contracts.

Copy of Investment Strategy for NI - DOE Investing Activity Report, October 2013.

Copy of Imtac Lisburn 2013 Walking Audit Report.

Copy of Ministerial letter to the Committee for Agriculture & Rural Development in relation to the role of local government in Rural Development Programme 2014-2020.

Note of key issues and decision taken at the Chairpersons' Liaison Group meeting held on 22 October 2013.

Departmental letter re the changes to the Permitted Level of Noise (Northern Ireland) Directions 2010 and the Approval of Measuring Devices and Conditions 1999.

Departmental letter re Review of Nitrates Action Programme Regulations.

Department update on the implementation of recommendations arising from Waste Infrastructure Programme Gateway Review.

Copy of letter sent to the Department by the ETI Committee regarding the future of Exploris.

16. Forward Work Programme

The Committee noted the forward work programme.

17. Any Other Business

Mr Boylan raised the issue of HGV road user charges.

Agreed: The Committee agreed to write to the Department for an update on this issue.

18. Date, time and place of next meeting

The next meeting will be held on Thursday 14th November 2013 at 10:00am in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 13:00pm

Anna Lo, MLA
Chairperson, Committee for the Environment
14 November 2013