



**Northern Ireland  
Assembly**

**COMMITTEE FOR THE ENVIRONMENT**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 21 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  
Mr Peter Weir MLA
- In Attendance: Mrs Sheila Mawhinney (Assembly Clerk)  
Mr Sean McCann (Assistant Assembly Clerk)  
Ms Antoinette Bowen (Clerical Officer)  
Ms Noreen Hayward (Clerical Officer)  
Ms Roisin Kelly (Assembly Bill Clerk – item 6 only)  
Ms Suzie Cave (Assembly Research Officer – item 4 only)
- Apologies: Lord Morrow MLA  
Ian Milne MLA

*The meeting commenced in public session at 10.39am*

**1. Apologies**

Apologies were indicated as above.

**2. Chairperson's Business**

No Chairperson's Business was discussed.

### **3. Draft Minutes**

The minutes from the meeting of 14<sup>th</sup> November 2013 were agreed.

*Mr Weir left the meeting at 10:44am*

### **4. Matters Arising**

4.1 The Committee noted correspondence from the Finance and Personnel Committee regarding the Public Service Pensions Bill.

4.2 The Committee considered a Departmental reply regarding Areas of Outstanding Natural Beauty.

*Agreed: The Committee agreed to write to the Department to ask who is currently responsible for the upkeep of the Sperrins and if there are any plans to form a management trust for the area.*

4.3 The Committee discussed a paper on the Single Transferable Vote model with an official from Assembly Research.

*Mr Eastwood left the meeting at 10:48am*

*Mr Weir re-joined the meeting at 10:48am*

4.4 The Committee considered a Departmental reply regarding the consultation on proposed changes to planning fees

*Agreed: The Committee was content for the Department to proceed with making the policy.*

4.5 The Committee considered a Ministerial statement regarding Marine Protected Areas

*Agreed: The Committee was content for the Department to proceed with making the policy.*

### **5. Departmental briefing on the Carrier Bags Bill**

Donald Starritt (Carrier Bag Levy, Head of Policy and Legislation Team) and Simon Webb (Carrier Bag Levy, Project Manager) briefed the Committee regarding a proposed amendment to Clause 1 of the Bill.

The main areas discussed were the Departments proposed amendment regarding deferring the commencement of legislation and the main elements of its proposed communications campaign.

The briefing was recorded by Hansard.

*Mr Eastwood re-joined the meeting at 10:59am*

*Mr Weir left the meeting at 11.08am*

*Mr Boylan left the meeting at 11.08am.*

*Mr Eastwood left the meeting at 11:09am*

*Mr Boylan re-joined the meeting at 11.11am.*

*Mr Eastwood re-joined the meeting at 11.13am.*

*Mr Weir re-joined the meeting at 11.15 am*

The Committee noted correspondence from the Northern Ireland Retail Consortium.

*Agreed: The Committee agreed to consider a proposed Departmental amendment introducing a new clause to the Bill to delay the commencement date until Monday 5 January 2015.*

*Agreed: The Committee agreed to write to the Department asking that the wording of the proposed amendment on the commencement of Bill would be provided in time for the Committee's consideration of its draft report at its meeting on Tuesday 26 November.*

*Mr McCrea left the meeting at 11.18 am.*

*The meeting moved into closed session at 11:18am*

## **6. Assembly Bill Office briefing on the Carrier Bags Bill**

An Assembly Bill Clerk briefed the Committee on the options available in progressing its consideration of the Bill and provided a draft Committee amendment on commencement for consideration.

*Mr McElduff joined the meeting at 11:22am*

*Mr McCrea re-joined the meeting at 11.26am.*

*Ms Brown left the meeting at 11:28am*

*Agreed: The Committee agreed that it was content with the proposed Departmental amendment to delay the start of Phase 2 charging until Monday 5 January 2015.*

*The meeting moved back into public session at 11:30am*

## **7. Formal clause by clause consideration of the Carrier Bags Bill**

The Committee commenced its formal clause by clause consideration of the Carrier Bags Bill.

*Agreed: The Committee agreed that it was broadly content with the Bill as drafted, but expressed general concern regarding the clarity of the commencement date.*

*The Committee welcomed the Department's agreement to bring forward an amendment to specify a firm date for Phase 2 charging to begin. Subject to sight of this amendment, the Committee agreed that it was broadly content with the Bill.*

*Ms Brown re-joined the meeting at 11:33am*

Clause 1 – Extension of the 2008 Act to carrier bags

*“Question: That the Committee is content with clause 1 put and agreed to”*

Clause 2 – Regulations under Schedule 6 to the 2008 Act

*“Question: That the Committee is content with clause 2 put and agreed to”*

Clause 3 – Requirement to charge

*“Question: That the Committee is content with clause 3 put and agreed to”*

Clause 4 – Sellers

*“Question: That the Committee is content with clause 4 put and agreed to”*

Clause 5 – Payment of the charge

*“Question: That the Committee is content with clause 5 put and agreed to”*

Clause 6 – Carrier bags defined by price

*“Question: That the Committee is content with clause 6 put and agreed to”*

Clause 7 – Records and enforcement

*“Question: That the Committee is content with clause 7 put and agreed to”*

Clause 8 – Civil sanctions

*“Question: That the Committee is content with clause 8 put and agreed to”*

Clause 9 – Review

*“Agreed: That the Committee recommends to the Assembly that clause 9 be amended as follows:*

Clause 9 (Page 3, Line 30)

Leave out subsection (4) and insert-

“(4) Subsections (1) and (2) do not affect the generality of subsection (5).

(5) The Department may at any time review whether any description of carrier bag should attract the requirement to charge.

(6) Expressions used in subsection (5) and in the charging provisions have the same meaning in that subsection as in those provisions.

(7) In this section-

“charging provisions” means section 77 of and Schedule 6 to the 2008 Act and any regulations made under those provisions;

“the Department” means the Department of the Environment.”

Clause 10 – Short title

*“Question: That the Committee is content with clause 10 put and agreed to”*

Long Title

*“Question: That the Committee is content to agree the Long Title of the Bill put and agreed to”*

*Agreed: The Committee agreed to schedule an additional meeting on Tuesday 26 November 2013 to consider its draft report on the Bill.*

*Mr Eastwood left the meeting at 11:41am*

#### **8. Synopsis of Responses to the consultation proposals for Taxi Driver Test and Periodic Training**

The Committee considered the synopsis of responses to the consultation proposals for Taxi Driver Test and Periodic Training.

*Agreed: The Committee agreed to write to the Department to ask for more detailed information on periodic training and for an oral briefing at its meeting on Tuesday 26 November.*

#### **9. Synopsis of Responses to the consultation on the proposal for the revision of the NIEA Pollution Inventory reporting form**

The Committee considered the synopsis of responses to the consultation on the proposal for the revision of the NIEA Pollution Inventory reporting form.

*Agreed: The Committee was content for the NIEA to proceed with the proposed changes.*

#### **10. Consultation on draft Planning (Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2014**

The Committee considered the consultation on draft Planning (Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2014

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

#### **11. SL1 – Fitment of fire extinguishers in Public Service Vehicles and minibuses**

The Committee considered a proposal to make the Statutory Rules, The Public Service (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2014, and The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2014.

*Agreed: The Committee agreed to defer consideration of the SL1 until clarification is received from the Department on the impact of the proposed regulations, specifically on the costs to PSV and minibus owners and what the owners will actually have to do to comply with the proposed regulations.*

#### **12. SR 2013/255 The Controlled Waste and Duty of Care Regulations (Northern Ireland) 2013**

The Committee considered SR 2013/255, The Controlled Waste and Duty of Care Regulations (Northern Ireland) 2013.

The Committee also considered correspondence from the Examiner of Statutory Rules raising a number of drafting queries on the Rule; as well as correspondence from the Department confirming that it had recognised these queries and that an amending Rule would be prepared and laid as soon as possible.

*Question put and agreed: 'The Committee for the Environment has considered SR 2013/255 The Controlled Waste and Duty of Care Regulations (Northern Ireland) 2013 and has no objection to the Rule, but noted comments from the Examiner of Statutory Rules on an amendment to be prepared by the Department.*

*Agreed: The Committee agreed to write to the Department asking if they had any plans to carry out an overall review of controlled waste.*

### **13. Local Government Bill – consideration of stakeholder responses**

The Committee considered the written submissions received in response to the Committee's call for evidence.

*Agreed: The Committee agreed to schedule oral briefings from NILGA, the Local Government Auditor, Community Places and NIPSA.*

*Agreed: The Committee agreed to publish all written submissions on the Assembly website. The Committee also agreed that it would accept a late submission from the Woodland Trust.*

*Agreed: The Committee agreed that it was content for members to receive Bill papers in electronic format, unless otherwise indicated to staff.*

*Mr Elliott left the meeting at 12:04pm*

### **14. Departmental briefing on the Strategic Planning Policy Statement**

Angus Kerr (Director, Planning Policy Division), Philip McGowan (Principal Planning Officer, Policy Division), Tom Matthews (Senior Planner, Planning Policy Division) and Leona Maginn (Senior Planner, Planning Policy Division) briefed the Committee regarding the new single Strategic Planning Policy Statement which is to be in place for the transfer of the majority of planning powers to councils in April 2015.

*Mr Weir left the meeting at 12.10pm.*

*Mr Maginness joined the meeting at 12.17pm.*

The main areas discussed were the consolidation and review of current planning policy and the preparation for the reconfiguration of the existing provisions into a single policy document.

*Mr Maginness left the meeting at 12.41pm.*

### **15. Correspondence**

The Committee considered correspondence from the ETI Committee regarding energy-saving projects and the Green Investment Bank.

*Agreed: The Committee agreed to forward the correspondence to the Department for comment.*

The Committee considered correspondence from the Institute of Archaeologists of Ireland requesting an opportunity to meet with the Committee.

*Agreed: The Committee agreed that the Chairperson would meet with representatives from the Institute of Archaeologists of Ireland and provide the Committee with a report of the meeting.*

The Committee considered correspondence from a member of the public regarding the proposed redevelopment of the Orpheus Building in Belfast.

*Agreed: The Committee agreed to forward the correspondence to the Department for comment.*

The Committee noted the following correspondence:

Correspondence regarding the Review of the Committee System of the NI Assembly.

Copy of correspondence from the Committee for Culture, Arts and Leisure sent to the Environment Minister regarding Road Safety for Cyclists.

Copy of Imtac Report – Walking Routes in Bangor Town Centre.

Copy of minutes from the Cross Departmental Working Group on Climate Change held on 11 April 2013.

Copy of correspondence sent to the Department from the Regional Development Committee regarding Bus Operator Licensing.

Copy of response from the Minister of Agriculture & Rural Development to the Ulster Farmers' Union regarding their concerns on capital grant funding for the construction of renewable generation installations.

Invitation to Fuel Poverty Annual Conference “Running on Empty”.

**13. Forward Work Programme**

The Committee noted the forward work programme.

**14. Any Other Business**

No other business was discussed.

**15. Date, time and place of next meeting**

The next meeting will be held on Tuesday 26<sup>th</sup> November 2013 at 1:00pm in the Senate Chamber, Parliament Buildings.

*The Chairperson adjourned the meeting at 12:52pm*

**Anna Lo, MLA**  
**Chairperson, Committee for the Environment**  
**26 November 2013**