



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

MINUTES OF PROCEEDINGS

THURSDAY, 6 FEBRUARY 2014

SENATE CHAMBER, PARLIAMENT BUILDINGS

- Present: Ms Anna Lo MLA (Chairperson)
Mrs Pam Cameron 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 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: Mr Ian Milne MLA

The meeting commenced in public session at 10:08am

1. Apologies

Apologies were indicated as above.

2. Ministerial briefing

The Minister and Departmental officials briefed the Committee on a range of issues including the Local Government Bill, taxi legislation, the report on Illegal Waste Activities in Northern Ireland, climate change and the Exploris strategic case.

Local Government Bill

Clause 4: Disqualifications. The Minister confirmed that consideration was being given to the inclusion (in subordinate legislation) of employees up to a certain rank to be disqualified from being councillors in council areas in which they work.

Mr Elliott joined the meeting at 10:38am.

Clause 10: Positions of Responsibility. The Minister confirmed that he did not plan to make any amendments to Clause 10 or the accompanying schedules.

Clause 23: Permitted forms of governance. The Minister indicated to the Committee that he had no objections to a possible amendment to clarify the position regarding instances where call in or Qualified Majority Voting.

Clause 25: Council Executives. The Committee expressed its concern regarding the proposed role of the Mayor and Deputy Mayor excluding their attendance at council executive meetings, even in a non-voting capacity.

Clause 45: Power to require decisions to be reconsidered. The Committee highlighted areas of practical difficulty in specifying a solicitor or barrister to support a call-in.

Clause 62: Decision following report. The Minister agreed to bring forward an amendment to introduce a mechanism for an appeal to the high court.

Mr Eastwood left the meeting at 11:04am

Taxi Legislation

The Committee discussed with the Minister the possible introduction of a model for taxi licensing in Belfast with a 3 mile exclusion zone for Belfast Public Hire taxis and the legislative timetable. Members expressed their concerns at the lack of enforcement in Belfast city centre.

Mr Eastwood re-joined the meeting at 11:24am

Lord Morrow left the meeting at 11:54am

Agreed: The Committee agreed that the Department would provide details of the number of taxi operators who have had their licence removed. The Committee also requested a breakdown of the figures on taxi offences.

Report on illegal waste activities in Northern Ireland

The Minister advised the Committee that the Permanent Secretary and the head of the NIEA are currently working on proposals on how to tackle the problems associated with illegal waste based on the recommendations from the Mills report.

Climate change

The Minister briefed the Committee on his level of engagement with stakeholders on this issue.

Exploris

The Minister indicated his intention to provide funding to maintain the seal sanctuary and stated that, to date, his Department was the only one to confirm any funding.

The briefing was recorded by Hansard

Mr Eastwood left the meeting at 12:10pm

Mr Boylan left the meeting at 12:10pm

Lord Morrow re-joined the meeting at 12:11pm

3. Informal clause by clause consideration of the Local Government Bill

Agreed: The Committee agreed to return to its informal consideration of the Local Government Bill later in the meeting.

4. Chairperson's Business

The Chairperson proposed that the Committee should schedule further additional meetings to continue its scrutiny of the Local Government Bill.

Agreed: The Committee agreed to hold additional meetings on Tuesday 11th and 18th February.

5. Draft minutes

The minutes of the meeting of 30th January 2014 were agreed.

Mr Weir left the meeting at 12:13pm

6. Matters Arising

6.1 The Committee considered a Departmental reply in relation to issues raised by the Institute of Archaeologists Ireland.

Agreed: The Committee agreed to forward the response to the Institute of Archaeologists Ireland for their information.

6.2 The Committee noted a copy of the updated Departmental Work Programme.

6.3 The Committee considered a draft Committee response on EU priorities.

Agreed: The Committee agreed to forward the response to the OFMdFM Committee for consideration.

7. SL1 - The Planning (General Development) (Amendment) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for The Planning (General Development) (Amendment) Order (Northern Ireland) 2014.

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

8. Correspondence

The Committee considered a Hansard transcript of the Fermanagh Trusts briefing to the Committee for Enterprise Trade & Investment on Wind Energy Developments.

Agreed: The Committee agreed to include the transcript in the Wind Energy Inquiry papers.

The Committee considered correspondence from the Committee for Finance and Personnel on its Inquiry into Flexible Working.

Agreed: The Committee agreed to forward the correspondence to the Department for comment on the extent to which flexible working practices are being applied, on any good practice cases, and on the number of employees who undertake all or part of their work from remote locations.

The Committee noted a Freedom of Information request with reference to a meeting with the Department on taxi legislation.

The Committee noted the following correspondence:

Copy of the latest edition of Reform Inform – January 2014.

Copy of the Northern Ireland European Priorities 2013/14 – Mid Year Progress Report.

Update on the Proposal for a Directive of the EU Parliament and Council – Framework for Maritime Spatial Planning and Integrated Coastal Management.

Invitation from Friends of the Earth to an event in Queen's University.

9. Forward Work Programme

The Committee noted the Forward Work Programme.

10. Any Other Business

No business was discussed.

Mr Boylan re-joined the meeting at 12:19pm

The meeting was suspended for a short break at 12:20pm.

The meeting recommenced in public session at 12:21pm with the following members in attendance: Ms Anna Lo MLA, Mr Cathal Boylan MLA, Mr Colum Eastwood MLA, Mr Tom Elliott MLA, Mr Barry McElduff MLA and Mr Peter Weir MLA.

11. Informal Clause by Clause consideration of the Local Government Bill

Clause 69: Community planning

Mrs Cameron re-joined the meeting at 12:38pm

Agreed: The Committee agreed to request an assurance from the Minister at Consideration Stage that the role of the voluntary and community sector will be outlined in statutory guidance and subordinate legislation.

Mr McElduff left the meeting at 12:42pm

Mr McCrea re-joined the meeting at 12:45pm

Lord Morrow re-joined the meeting at 12:53pm

Agreed: The Committee agreed that Departmental officials should report back to the Committee, after discussions with the Minister, on a possible amendment to this clause to include equality and good relations.

Mrs Cameron left the meeting at 12:55pm

Lord Morrow left the meeting at 12:56pm

Mr Eastwood left the meeting at 1:07pm

Clause 70: Community planning partner

Agreed: The Committee was broadly content with this clause.

Clause 71: Production of community plan

Agreed: The Committee was broadly content with this clause.

Clause 72: Duty to review community plan

Mr McCrea left the meeting at 1:41pm. The quorum dropped to four members; the informal clause by clause scrutiny continued as a briefing session.

The Committee discussed issues raised by stakeholders on this clause.

Clause 73: Review of community plan

The Committee discussed issues raised by stakeholders on this clause.

Clause 74: Monitoring

The Committee discussed issues raised by stakeholders on this clause.

Clause 75: Implementation

The Committee discussed issues raised by stakeholders on this clause.

Clause 76: Community involvement

The Committee discussed issues raised by stakeholders on this clause.

It was suggested that Departmental officials should discuss with the Minister a possible amendment to clause 76(1) to insert 'reasonable' before arrangements.

Clause 77: Guidance

The Committee discussed issues raised by stakeholders on this clause.

Clause 78: Duties of departments in relation to community planning

The Committee discussed issues raised by stakeholders on this clause.

Departmental officials advised the Committee that an amendment would be made to remove 'aim to' from Clause 78(a). Members requested officials to supply details of the amendment to the Committee.

Clause 79: establishment of bodies corporate

The Committee discussed issues raised by stakeholders on this clause.

Clause 80: Amendments of the Planning Act (Northern Ireland) 2011

The Committee discussed issues raised by stakeholders on this clause.

11. Date, time and place of next meeting

The next meeting will be held on 11th February 2014 at 12:30pm in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 14:00pm

**Anna Lo, MLA
Chairperson, Committee for the Environment
13 February 2014**