



**Northern Ireland  
Assembly**

**COMMITTEE FOR THE ENVIRONMENT**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 15 JANUARY 2015**

**SENATE CHAMBER, PARLIAMENT BUILDINGS**

- Present: Ms Anna Lo MLA (Chairperson)  
Mrs Pam Cameron MLA (Deputy Chairperson)  
Mr Cathal Boylan MLA  
Mr Ian McCrea MLA  
Mr Alban Maginness MLA  
Mr Barry McElduff MLA  
Lord Morrow MLA  
Mr Peter Weir MLA
- In Attendance: Ms Sheila Mawhinney (Assembly Clerk)  
Mr Mark McQuade (Assistant Assembly Clerk)  
Mr Neil Sedgewick (Clerical Supervisor)  
Ms Allison Ferguson (Clerical Officer)  
Ms Barbara Love (Assembly Research & Information Service  
- Item 6 only)
- Apologies: Mr Colum Eastwood MLA  
Mr Ian Milne MLA  
Mrs Sandra Overend MLA

*The meeting began in private session at 10.02 am.*

## **1. Committee Inquiry into Wind Energy**

*Mr Weir left the meeting at 10.08 am.*

*Mrs Cameron joined the meeting at 10.11 am.*

The Committee noted correspondence from Mr McMullan regarding a recent wind turbine accident.

*Agreed: the Committee agreed to write to the Department of Enterprise, Trade & Investment regarding the role of the Health and Safety Executive Northern Ireland (HSENI) in investigating this accident.*

*Mr Weir rejoined the meeting at 10.15 am.*

The Committee noted a Planning Statistics press release.

The Committee considered a draft report on the Inquiry into Wind Energy.

*Agreed: The Committee agreed to consider an amended draft at its next meeting.*

*The meeting moved into public session at 11.05am.*

## **2. Apologies**

Apologies were as above.

## **3. Chairperson's Business**

The Committee noted correspondence about an event being organised by Belfast Food Network.

The Committee noted an invitation for the Chairperson to speak at the Policy Forum for Northern Ireland Keynote Seminar on Wednesday, 28th January 2015. The Committee also noted that Lord Morrow had been invited to speak at the event.

*Agreed: The Committee agreed that it was content that the Chairperson and Lord Morrow attend the event.*

The Committee noted the key points of the Chairpersons Liaison Group meeting held on 9<sup>th</sup> December 2014.

The Chairperson informed members that a planned meeting with representatives of the Joint Secretariat of the North South Ministerial Council on Friday did not take place as the Joint Secretary Mr O'Neill was unable to attend.

## **4. Minutes**

The minutes from the meeting held on 11<sup>th</sup> December 2014 were agreed.

## **5. Matters Arising**

The Committee noted correspondence from the Minister for Finance & Personnel regarding the draft budget.

*Agreed: The Committee agreed to forward the letter to the Department seeking its views on the issues raised.*

The Committee noted correspondence from the Minister regarding the relationship between the farming community and the Northern Ireland Environment Agency.

*Agreed: The Committee agreed to forward the letter to the Committee for Agriculture & Rural Development which raised this matter*

*Agreed: The Committee also agreed to ask the Department for clarification of responsibilities relating to the disposal of toxic waste.*

The Committee noted a response from the Department regarding the Taxi Licensing Single Tier Commencement Order.

The Committee noted correspondence from the Northern Ireland Independent Retail Trade Association (NIIRTA) regarding the Strategic Planning Policy Statement.

*Agreed: The Committee agreed to forward the letter to the Department seeking its views on the issues raised.*

The Committee noted a response from the Department regarding the Dalradian Gold Camcosy Road site.

The Committee noted a response from the Department providing an update on the operation of the Carrier Bag Bill.

The Committee noted correspondence from the Department providing further information on planning processes for mining and related exploratory work for minerals and gold.

The Committee noted a response from the Department regarding funding for Community Places.

*Agreed: The Committee agreed to copy the response to Community Places.*

The Committee noted correspondence from Renewable Energy Systems Ltd regarding the draft Strategic Planning Policy Statement.

*Agreed: The Committee agreed to forward the letter to the Department seeking its views on the issues raised.*

## **6. The Road Traffic Amendment Bill**

The Committee was briefed by Assembly Research on the Key Findings from a survey of young people's views on planned changes to driver licensing laws.

*Mr McCrea joined the meeting at 11.44 am.*

The briefing was followed by a question and answer session.

*The Committee was suspended for a short break at 12.00pm.*

*The Committee resumed in open session at 12.21pm.*

*Lord Morrow rejoined the meeting at 12.23.*

*Mr McCrea rejoined the meeting at 12.25 pm.*

The Committee discussed outstanding issues on specific clauses of the Bill with Departmental officials. The following officials were in attendance:

Mr Iain Greenway	Director Road Safety and Vehicle Regulation Division
Ms Nicola McEvoy	Road Safety and Vehicle Regulation Division
Mr Donald Starritt	Road User Behaviours Policy & Strategy Branch

**Clause 3:** This will retain the right for a driver to ask for a blood or urine specimen to replace a breath test if that breath test is marginally over the present prescribed limit at the new lower prescribed limits.

*Agreed: The Committee agreed to ask the Department to consider the removal of the statutory option.*

**Clause 7:** Graduated penalty points for certain drink-driving offences as fixed penalty offences.

*Agreed: The Committee agreed that it was content with the Department's explanation of the key issues surrounding this clause.*

**Clause 9:** Approved course: completion and failure to complete.

*Agreed: The Committee agreed that it was content with the Department's explanation of the key issues surrounding this clause.*

**Clause 16:** Minimum age for licence.

*Agreed: The Committee agreed to ask the Department to remove this clause.*

**Clause 17:** Provisional licence to be held for minimum period in certain cases.

*Agreed: The Committee agreed to ask the Department to reduce the minimum period for holding a provisional licence to 6, rather than 12, months.*

**Clause 18:** Approved programmes of training: category B motor vehicles and motor bicycles.

*Agreed: The Committee agreed that it was content with the Department's explanation of the key issues surrounding this clause.*

**Clause 20:** Changes to restrictions on learner and new drivers.

*Agreed: The Committee agreed that it was content with the Department's explanation of the key issues surrounding this clause.*

**Clause 22:** Extension of requirements as regards protective headgear.

*Agreed: The Committee agreed that it was content with the Department's explanation of the key issues surrounding this clause.*

*Mr McElduff left the meeting at 1.27 pm.*

## 7. Consultations

The Committee noted a consultation on proposed measures to implement elements of European Union Regulation 1257/2013 on ship recycling.

*Agreed: The Committee agreed to request a synopsis of responses from the Department once available.*

The Committee noted a consultation on draft statutory guidance for the operation of Community Planning 2015.

*Agreed: The Committee agreed to request a synopsis of responses from the Department once available.*

The Committee noted a consultation on the draft Local Government (Performance Indicators and Standards) Order (NI) 2015.

*Agreed: The Committee agreed to request a synopsis of responses from the Department once available.*

The Committee noted a consultation on a legislative amendment to transpose the Third Driving Licence Directive 2006/126/EC.

*Agreed: The Committee agreed to request a synopsis of responses from the Department once available.*

## 8. Synopsis of Responses to Consultation on the Proposed Scheme Governance and Draft Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2014.

*Agreed: The Committee agreed to request a briefing on the synopsis of responses.*

## 9. Synopsis of responses to the public consultation on the Draft Guidance on the Application of the Councillors Code of Conduct with regard to Planning Matters.

The Committee was briefed by:

Ms Susan Wilkin	Planning Policy Division
Mr Angus Kerr	Director, Planning Policy Division
Ms Cathy Pringle	Planning Policy Division
Ms Mylene Ferguson	Local Government Policy Division

*Mr McElduff rejoined the meeting at 1.36 pm.*

*Agreed: The Committee agreed it was content for the Department to issue guidance on the application of the Councillors' Code of Conduct with regard to planning matters.*

The Committee was briefed on agenda items 10 to 13 by:

Mr Angus Kerr	Director, Planning Policy Division
Mr Simon Kirk	Planning Manager, Strategic Planning Division

Mr Joe Torney                      Planning Service  
Mr Brian Gorman                  Planning Service

**10. SL1. The Planning (Claims for Compensation) Regulations (Northern Ireland) 2015.**

The Committee considered an SL1 on the Planning (Claims for Compensation) Regulations (Northern Ireland) 2015.

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

**11. SL1. The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015.**

The Committee considered an SL1 on the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015.

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

**12. SL1. The Planning (Hazardous Substances) Regulations (Northern Ireland) 2015.**

The Committee considered an SL1 on the Planning (Hazardous Substances) Regulations (Northern Ireland) 2015.

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

**13. SL1. The Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015.**

The Committee considered an SL1 on The Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015.

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

**14. SL1. The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2015.**

*Agreed: The Committee agreed to defer consideration of this SL1 to its next meeting.*

**15. The Planning Act (2011 Act) (Commencement No.2) Order (NI) 2015.**

The Committee was briefed by Mr Angus Kerr, Director, Planning Policy Division.

The briefing was recorded by Hansard.

*Question put and agreed:*

*“The Committee for the Environment has considered the Planning Act (2011 Act) (Commencement No.2) Order (NI) 2015 and recommends that it should be affirmed by the Assembly.”*

- 16. SR 2014/294 The Smoke Control Areas (Exempted Fireplaces) (Amendment No 2) Regulations (Northern Ireland) 2014**  
*Agreed: The Committee agreed to defer consideration of this Statutory Rule to its next meeting.*
- 17. SR 2014/307 The Nitrates Action Programme Regulations (Northern Ireland) 2014**  
*Agreed: The Committee agreed to defer consideration of this Statutory Rule to its next meeting.*
- 18. SR 2014/308 The Phosphorus (Use in Agriculture) Regulations (Northern Ireland) 2014**  
*Agreed: The Committee agreed to defer consideration of this Statutory Rule to its next meeting.*
- 19. SR 2014/302. The Taxi Licensing Regulations (Northern Ireland) 2014.**  
The Committee considered SR 2014/302, The Taxi Licensing Regulations (Northern Ireland) 2014.  
The question was put:  
*“The Committee for the Environment has considered SR 2014/302, The Taxi Licensing Regulations (Northern Ireland) 2014, and, subject to the report of the Examiner of Statutory Rules, has no objection to the Rule.”*  
The Committee divided: Ayes 2; Noes 6; Abstentions 0  
Ayes:  
Ms Anna Lo, Mr Alban Maginness  
Noes:  
Mr Cathal Boylan, Mrs Pam Cameron, Mr Ian McCrea, Mr Barry McElduff, Lord Morrow, Mr Peter Weir.  
The motion fell.  
The following question was put:  
*‘The Committee for the Environment has considered SR 2014/302, The Taxi Licensing Regulations (Northern Ireland) 2014 and recommends that it be annulled by the Assembly.’*  
The Committee divided: Ayes 6; Noes 2; Abstentions 0  
Ayes:  
Mr Cathal Boylan, Mrs Pam Cameron, Mr Ian McCrea, Mr Barry McElduff, Lord Morrow, Mr Peter Weir.  
Noes:  
Ms Anna Lo, Mr Alban Maginness

The motion was agreed.

**20. SR 2014/303 The Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014.**

The Committee Considered SR 2014/303, The Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014. Members indicated that they were not content with the statutory rule

The question was put:

*'The Committee for the Environment has considered SR 2014/303 The Taxi Operators Licensing (Amendment) Regulations (Northern Ireland) 2014 and recommends that it be annulled by the Assembly.'*

The Committee divided: Ayes 6; Noes 2; Abstentions 0

Ayes:

Mr Cathal Boylan, Mrs Pam Cameron, Mr Ian McCrea, Mr Barry McElduff, Lord Morrow, Mr Peter Weir.

Noes:

Ms Anna Lo, Mr Alban Maginness

The motion was agreed.

**21. Correspondence.**

The Committee noted a report from the Department on noise complaint statistics.

The Committee noted correspondence from the Department providing advance notice of consultations for January to March 2015.

The Committee noted the Sustainable NI Annual Review.

The Committee noted correspondence from the British Council regarding Famelab.

The Committee noted correspondence from Farmers for Action seeking a meeting.

*Agreed: the Committee agreed to write to Farmers for Action for further information*

The Committee noted an invitation to a Chairs Forum event.

The Committee noted correspondence from Finance and Personnel Committee regarding Post Project Evaluations.

The Committee noted Reform Inform Issue 24.

The Committee noted a report on cavity wall insulation.

The Committee noted a copy of correspondence from the Committee for the Office of the First Minister and Deputy First Minister to the Minister for the Environment.



The Committee noted the November 2014 ISNI Report.

*Agreed: The Committee agreed that it was content with the new format of the report.*

The Committee noted the December 2014 ISNI Report.

The Committee noted the Annual Progress Report 2014 - Rural White Paper Action Plan.

The Committee noted correspondence from the Department providing compliance information on the George Best City Airport planning agreement.

The Committee noted correspondence from the Department regarding Article 31 planning applications.

**22. Forward Work Programme**

The Committee noted the Forward Work Programme.

**23. Any Other Business**

No other business was discussed.

**24. Date, Time and Place of next meeting**

The next meeting will be held at 10.00am on Thursday 22<sup>nd</sup> January 2015 in the Senate Chamber, Parliament Buildings.

*The Chairperson adjourned the meeting at 2.05 pm.*

**Anna Lo, MLA**  
**Chairperson, Committee for the Environment**  
**22 January 2015**