



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

MINUTES OF PROCEEDINGS

THURSDAY, 23 OCTOBER 2014

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 Barry McElduff MLA
Mr Alban Maginness MLA
Lord Morrow MLA
Mrs Sandra Overend 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)

Apologies: Mr Ian Milne MLA

The meeting began in public session at 10:03am.

1. Apologies

Apologies as noted above.

2. Chairperson's Business

Mr McCrea joined the meeting at 10.07am.

The Chairperson advised members that a meeting had been arranged with the Permanent Secretary on Tuesday 4 November.

Agreed: The Committee agreed to add the issue of the provision of Local Government subordinate legislation on a timely basis to the agenda for the meeting.

The Chairperson referred members to an invitation for her to speak at a RaISE Knowledge Exchange Seminar on Local Government & Planning to be held on 3 December 2014.

Agreed: The Committee agreed that the Chairperson would speak on behalf of the Committee at the event.

Mrs Cameron joined the meeting at 10.07am.

The Chairperson referred members to a tabled report on the Committee visit to recycling sites in Belgium & Germany.

Agreed: The Committee agreed to continue its interest in this initiative.

3. Minutes

The minutes from the meeting held on 9th October 2014 were agreed.

4. Matters Arising

The Committee noted an update from the Department on Article 31 Planning Applications.

The Committee noted an update from the Department on Minerals Planning Applications

The Committee noted a response from the Department on its performance against Programme for Government targets.

The Committee noted an update from the Department on enforcement of Heavy Goods Vehicle Legislation.

The Committee noted further information from the Department on October Monitoring 2014-15.

The Committee noted correspondence from the Department on the Local Government Employee and Councillor Working Relationship Protocol.

Mr McElduff left the meeting at 10.12am.

5. Consultations

The Committee noted a consultation on the Draft Local Government (Transferred Functions Grant) Regulations (NI) 2015.

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

The Committee noted a consultation on the Draft Community Planning Partners Order (NI) 2015.

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

The Committee noted a consultation on the Revocation and remaking of Local Government (Accounts and Audit) Regulations (NI) 2006.

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

The Committee noted a consultation on the Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (NI) 2014.

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

6. Synopsis of responses on legislation to introduce fixed penalties for enforcement of byelaws protecting Marine Conservation Zones and Marine Sites.

The Committee considered a synopsis of responses on the consultation on legislation to introduce fixed penalties for enforcement of byelaws protecting Marine Conservation Zones and Marine Sites.

Agreed: The Committee agreed to consider final proposals for draft legislation when these are brought forward.

7. Synopsis of responses: Consultation on proposals to introduce a scheme of Continuous Insurance Enforcement (CIE).

The Committee considered a synopsis of responses to the consultation on proposals to introduce a scheme of Continuous Insurance Enforcement.

Mr McElduff rejoined the meeting at 10.15am.

Agreed: The Committee agreed to request an oral briefing from the Department on the proposed legislation.

Agreed: The Committee agreed to write to the Committee for Enterprise, Trade & Investment making it aware of the proposed legislation.

Mr Maginness left the meeting at 10.18am.

8. Synopsis of responses: Consultation on the Significant Water Management Issues in the North Western, North Eastern and Neagh Bann River Basin Districts.

The Committee considered a synopsis of responses on the consultation on the Significant Water Management Issues in the North Western, North Eastern and Neagh Bann River Basin Districts.

Agreed: The Committee agreed to request an oral briefing from the Department on the proposed legislation.

9. Synopsis of responses: Consultation on amending the Environmental Liability (Prevention and Remediation) Regulations (NI) 2009

The Committee considered a synopsis of responses on the consultation on amending the Environmental Liability (Prevention and Remediation) Regulations (NI) 2009.

Agreed: The Committee agreed that it was content that the Department proceed to draft the Statutory Rule.

10. Proposed Statutory Rule. The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2014.

Agreed: The Committee agreed that it was content for the Department to proceed with the proposed statutory rule.

11. Proposed Statutory Rule. The Road Vehicles Lighting (Amendment) Regulations (NI) 2014.

The Committee considered the Road Vehicles Lighting (Amendment) Regulations (NI) 2014.

The following motion was put:

“The Committee for the Environment is content that the Department of the Environment proceed with the Road Vehicles Lighting (Amendment) Regulations (NI) 2014”.

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

Ayes:

Ms Anna Lo, Mrs Sandra Overend

Noes:

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

The motion fell.

12. Proposed Statutory Rule. The Taxi Operators Licensing (Amendment) Regulations (NI) 2014.

The Committee considered the Taxi Operators Licensing (Amendment) Regulations (NI) 2014.

The following motion was put:

“The Committee for the Environment is content that the Department of the Environment proceed with the Taxi Operators Licensing (Amendment) Regulations (NI) 2014”.

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

Ayes:

Ms Anna Lo, Mrs Sandra Overend.

Noes:

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

The motion fell.

13. Statutory Rule. SR 2014/238. The Taxis (2008 Act) Commencement No.3) Order (Northern Ireland) 2014.

The Committee noted the SR 2014/238 The Taxis (2008 Act) Commencement No.3) Order (Northern Ireland) 2014.

14. Statutory Rule. SR 2014/239. The Taxi Drivers Licences Regulations (Northern Ireland) 2014.

The Committee considered the Statutory Rule SR 2014/239, The Taxi Drivers Licences Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/239. The Taxi Drivers Licences Regulations (Northern Ireland) 2014, and, subject to the report of the Examiner of Statutory Rules, has no objection to the Rule.”

15. Statutory Rule. SR 2014/249 The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 2014.

The Committee considered the Statutory Rule SR 2014/249 The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 2014.

Mr Weir left the meeting at 10.39am.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/249, The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern

Ireland) 2014, and, subject to the report of the Examiner of Statutory Rules, has no objection to the Rule.’

16. Statutory Rule. SR 2014/253. The Waste Management Licensing (Amendment No.2) Regulations (Northern Ireland) 2014.

The Committee considered the Statutory Rule SR 2014/253 The Waste Management Licensing (Amendment No.2) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/253, The Waste Management Licensing (Amendment No.2) Regulations (Northern Ireland) 2014, and, subject to the report of the Examiner of Statutory Rules, has no objection to the Rule.’

17. The Road Traffic (Amendment) Bill - Briefing by Driving Instructors National Association Council.

The Committee was briefed on the provisions of the Road Traffic (Amendment) Bill by Mr Tom Burns, Chairperson, Driving Instructors’ National Association Council.

The briefing was recorded by Hansard.

Mr Weir rejoined the meeting at 10.45am.

The main points discussed were

- The reduction of the age for obtaining a provisional licence to 16 ½ ;
- The proposed requirement for a learner driver to hold a licence for 1 year before being tested; and
- Restrictions on passengers being carried by young new drivers for six months after passing the test.

Mr Maginness rejoined the meeting at 11.35am.

Agreed: The Committee agreed that it was content to conclude its oral evidence sessions with this briefing.

Agreed: The Committee agreed that it was content with the draft questions for an electronic survey to gauge the views of young people on the provisions of the Bill. The Committee also agreed that it would be useful for individual members to add the link to this survey to their individual web applications.

18. Committee Inquiry into Wind Energy - Briefing by Windwatch NI.

The Committee was briefed by Professor Alun Evans, Dr Dan Kane, Mr Owen McMullan and Mr Pat Swords.

The briefing was recorded by Hansard.

Mrs Overend left the meeting at 12.02pm.

Mr McCrea left the meeting at 12.18pm.

Mr Weir left the meeting at 12.43pm.

Mr Boylan left the meeting at 12.45pm.

19. Correspondence

The Committee agreed to move to agenda item 20.

The Committee noted correspondence from Historic Royal Palaces seeking a meeting regarding future plans for Hillsborough Castle.

Agreed: The Committee agreed to write to Historic Royal Palaces for further information.

The Committee noted correspondence from the Department on consultations and policy screened out for EQIA between October and December 2014.

The Committee noted correspondence from the Committee for Finance and Personnel regarding a review of the operation of the Barnett Formula Terms of Reference.

The Committee noted correspondence from the Committee for Finance and Personnel regarding Departmental savings delivery plans to 31st March 2014.

The Committee noted correspondence from the Department regarding the UK Committee on Climate Change 6th Annual Progress Report.

20. Forward Work Programme

The Committee agreed to move to agenda item 21.

The Committee noted the Forward Work Programme.

21. Any Other Business

The Committee agreed to move to agenda item 22.

No other business was discussed.

22. Committee Inquiry into Wind Energy - Briefing by Northern Ireland Renewables Industry Group (NIRIG).

The Committee was briefed by Mr Patrick McClughan, Mr Michael Gordon, Ms Meabh Cormacain and Dr Matthew Cassidy.

The briefing was recorded by Hansard.

Mr Boylan rejoined the meeting at 12.53pm

Mr McCrea rejoined the meeting at 12.53pm

Mr Weir rejoined the meeting at 1.00pm

Agreed: The Committee agreed that NIRIG should sent it further information on the calculation of carbon savings.

Mrs Cameron rejoined the meeting at 1.19pm

Mr McElduff left the meeting at 1.22pm.

Mr Maginness left the meeting at 1.31pm.

23. Date, Time and Place of next meeting

The next meeting will be held Thursday 6th November 2014 in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 1.41pm.

**Anna Lo, MLA
Chairperson, Committee for the Environment
6 November 2014**