



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

MINUTES OF PROCEEDINGS

THURSDAY, 9 OCTOBER 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 Ian McCrea MLA
Mr Barry McElduff MLA
Mr Alban Maginness MLA
Mr Ian Milne 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: None

The meeting began in public session at 10:09am.

1. Apologies

No apologies were received.

2. Chairperson's Business

The Chairperson referred members to an invitation to an event to celebrate the Diamond Jubilee of Keep Northern Ireland Beautiful.

Agreed: The Committee agreed that the Chairperson would attend this event on behalf of the Committee.

Mrs Cameron joined the meeting at 10.11am.

The Chairperson drew members' attention to an invitation to an event on Thursday 9 October 2014 from the 'No Creevy Quarry' Committee.

Mr Boylan joined the meeting at 10.12am.

The Chairperson referred members to the implementation of the recommendations in the Committee's Used Tyre Inquiry report. The Committee noted the last update received from the Department in May 2014.

Agreed: The Committee agreed that it was content to await the next Departmental update.

The Chairperson advised members that the Northern Ireland Assembly Business Trust plans to host an event in March 2015 on the Review of Public Administration and extended powers to be devolved to Councils.

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

The Chairperson referred members to a draft press release on the visit to the Resource Collections Centre at Swords on Thursday 2 October 2014.

Agreed: The Committee agreed that the press release should be issued.

Mr Milne joined the meeting at 10.16am.

3. Minutes

The minutes from the meeting held on 25th September 2014 were agreed.

4. Matters Arising

The Committee noted a reply from the Department, advising members that their original request for information on the causes of road deaths had been passed to the PSNI for response.

The Committee noted an update from the Department on the report of the Joint Departmental Working Group on archaeological archives.

The Committee noted a revised programme from the Department on the designation of Marine Conservation Zones.

The Committee noted a response from the Department in relation to its monitoring of the functions of the Driver Vehicle Agency which were transferred to Swansea.

The Committee noted a response from the Department regarding the continuing enforcement functions of the Driver Vehicle Agency.

The Committee considered a response from the Department outlining its Post-Legislative engagement with Councils, particularly in relation to the High Hedges Act.

Agreed: The Committee agreed to request Assembly research to provide further information on this topic.

The Committee considered a response from the Department detailing the monitoring of the noise produced by Wind Farms.

Agreed: The Committee agreed to include this correspondence in the report on its Inquiry into Wind Energy.

The Committee considered a programme from the Department for a visit to an Area of Special Scientific Interest and a proposed Marine Conservation Zone on 14 May 2015.

Agreed: The Committee agreed it was content with the draft itinerary for the visit.

The Committee considered a response from the Department on the publication of up to date information on the Infrastructure Investment Strategy (ISNI) Portal.

Agreed: The Committee agreed to forward the response to the All Party Group on Construction which had raised the original query.

The Committee considered further information from the Department on June and October Monitoring 2014/15.

Agreed: The Committee agreed to write to the Department for clarification on this response.

5. Consultation

The Committee noted a Consultation on legislative amendments in relation to transposition of the 3rd Driving Licence Directive 2006/126/EC.

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

6. Synopsis of responses and Departmental response to comments received on the consultation on the Draft Local Government (Disqualification)(Prescribed Offices and Employments) Regulations (Northern Ireland) 2014

The Committee considered a synopsis of responses, and Departmental response to comments received, on the consultation on the Draft Local Government (Disqualification)(Prescribed Offices and Employments) Regulations (Northern Ireland) 2014

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

7. Statutory Rule. SR 2014/227 The Motor Vehicles (Construction and Use) (Amendment No 2) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/227, The Motor Vehicles (Construction and Use) (Amendment No 2) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/227, The Motor Vehicles (Construction and Use) (Amendment No 2) Regulations (Northern Ireland) 2014, and has no objection to the Rule.”

8. Statutory Rule. SR 2014/230, The Road Traffic Offences (Additional Offences) Order (NI) 2014

The Committee considered the Statutory Rule SR 2014/230 The Road Traffic Offences (Additional Offences) Order (NI) 2014.

Mr McElduff proposed that the Committee should object to the rule.

The following motion was put:

‘That the Committee for the Environment has considered SR 2014/230, The Road Traffic Offences (Additional Offences) Order (NI) 2014, and recommends that it be annulled by the Assembly.’

The Committee divided: Ayes 3; Noes 5; Abstentions 0

Ayes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne.

Noes:

Ms Anna Lo, Mrs Pam Cameron, Mr Ian McCrea, Mr Alban Maginness and Mrs Sandra Overend.

Abstentions:

None

The motion fell.

The Chairperson put the following motion to the Committee:

‘That the Committee for the Environment has considered SR 2014/230, The Road Traffic Offences (Additional Offences) Order (NI) 2014, and has no objection to the Rule’.

The Committee divided: Ayes 5; Noes 3; Abstentions 0

Ayes:

Ms Anna Lo, Mrs Pam Cameron, Mr Ian McCrea, Mr Alban Maginness and Mrs Sandra Overend.

Noes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne

Abstentions:

None

The motion was carried.

9. Statutory Rule. SR 2014/231 The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (NI) 2014

The Committee considered the Statutory Rule SR 2014/231 The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (NI) 2014.

The motion was put:

'That the Committee for the Environment has considered SR 2014/231, The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (NI) 2014, and has no objection to the Rule.'

The Committee divided: Ayes 5; Noes 3; Abstentions 0

Ayes:

Ms Anna Lo, Mrs Pam Cameron, Mr Ian McCrea, Mr Alban Maginness and Mrs Sandra Overend.

Noes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne

Abstentions:

None

The motion was carried.

10. Statutory Rule. SR 2014/232 The Road Traffic (Fixed Penalty) (Amendment) Order (NI) 2014

The Committee considered the Statutory Rule SR 2014/232 The Road Traffic (Fixed Penalty) (Amendment) Order (NI) 2014.

The motion was put:

'That the Committee for the Environment has considered SR 2014/232, The Road Traffic (Fixed Penalty) (Amendment) Order (NI) 2014, and has no objection to the Rule.'

The Committee divided: Ayes 5; Noes 3; Abstentions 0

Ayes:

Ms Anna Lo, Mrs Pam Cameron, Mr Ian McCrea, Mr Alban Maginness and Mrs Sandra Overend.

Noes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne

Abstentions:

None

The motion was carried.

11. Statutory Rule. SR 2014/233 The Road Traffic (Financial Penalty Deposit) (Amendment) Order (NI) 2014

The Committee considered the Statutory Rule SR 2014/233, The Road Traffic (Financial Penalty Deposit) (Amendment) Order (NI) 2014.

The motion was put:

‘That the Committee for the Environment has considered SR 2014/233 The Road Traffic (Financial Penalty Deposit) (Amendment) Order (NI) 2014, and has no objection to the Rule.’

The Committee divided: Ayes 5; Noes 3; Abstentions 0

Ayes:

Ms Anna Lo, Mrs Pam Cameron, Mr Ian McCrea, Mr Alban Maginness and Mrs Sandra Overend.

Noes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne

Abstentions:

None

The motion was carried.

Agreed: The Committee for the Environment has considered SR 2014/233 The Road Traffic (Financial Penalty Deposit) (Amendment) Order (NI) 2014, and has no objection to the Rule.

12. Statutory Rule. SR 2014/234 The Road Traffic (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Order (NI) 2014

The Committee considered the Statutory Rule SR 2014/234 The Road Traffic (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Order (NI) 2014.

The motion was put:

‘That the Committee for the Environment has considered SR 2014/234 The Road Traffic (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Order (NI) 2014, and has no objection to the Rule.’

The Committee divided: Ayes 5; Noes 3; Abstentions 0

Ayes:

Ms Anna Lo, Mrs Pam Cameron, Mr Ian McCrea, Mr Alban Maginness and Mrs Sandra Overend.

Noes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne

Abstentions:

None

The motion was carried.

Agreed: The Committee agreed to write to the Department for information on enforcement procedures for Statutory Rules SR 2014/ 230 – SR 2014/234.

Mr Boylan left the meeting at 10.50am.

13. Draft Statutory Rule: The Pollution Prevention and Control (Industrial Emissions) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered a Draft Statutory Rule, The Pollution Prevention and Control (Industrial Emissions) (Amendment) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered the Pollution Prevention and Control (Industrial Emissions) (Amendment) Regulations (Northern Ireland) 2014, and recommends that the Assembly affirms this Rule.”

14. The Road Traffic (Amendment) Bill - Briefing by the Ulster Farmers Union (UFU) and the Young Farmers Clubs of Ulster (YFCU)

Mr Boylan rejoined the meeting at 10.53am.

Mr Eastwood joined the meeting at 10.58am.

The Committee was briefed on the provisions of the Road Traffic (Amendment) Bill by Mr Barclay Bell, Deputy President, UFU; Mr Bailie Thompson, Legislation Chairman, UFU; Mr David McConaghy, Legislation Policy Officer, UFU; and Mr Michael Reid, Chief Executive, YFCU.

The briefing was recorded by Hansard.

The main points discussed were

- The reduction of the age at which a learner driver could obtain a driving licence;
- 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 Weir joined the meeting at 11.30am.

Mr Eastwood left the meeting at 11.41am.

Mr Boylan left the meeting at 11.51am.

The Committee noted correspondence from the Department, enclosing the results of focus groups held in 2011 on young people's attitudes to driving.

Agreed: The Committee agreed that an electronic survey should be carried out to gauge the views of young people on the provisions of the Bill.

15. Departmental briefing on planning processes for mining and related exploratory work for minerals and gold

Mr Boylan rejoined the meeting at 11.53am.

Mr Eastwood rejoined the meeting at 11.54am.

The Committee was briefed on the planning processes for mining, and related exploratory work for minerals and gold, by Mr Simon Kirk, Mr Scott

Symington, Mr Stephen Hamilton and Mr Niall Marshall, all from Planning Division.

The briefing was recorded by Hansard.

Mrs Overend left the meeting at 12.09pm.

16. Briefing from Dalradian Resources

The Committee was briefed on current exploratory work for gold in Tyrone by Mr Brian Kelly, Managing Director, Dalradian; Ms Anne Monaghan, Director of Stakeholder Engagement, Dalradian; Ms Ruth Ives, VP Project Development; and Mr Tim Paul, SLR Consultancy.

Dalradian representatives offered to facilitate a Committee visit to the mining site.

The briefing was recorded by Hansard.

Mr Weir left the meeting at 1.01pm.

Ms Lo left the meeting, and Mrs Cameron assumed the Chair, at 1.07pm

The Committee considered correspondence from Mr Cormac McAleer requesting an opportunity to brief the Committee on mining.

Agreed: The Committee agreed to schedule a briefing from Mr McAleer.

Mr Eastwood left the meeting at 1.10pm.

17. European Union matters

Agreed: The Committee agreed to defer consideration of this agenda item to a future meeting.

18. Correspondence

The Committee considered correspondence from the Northern Ireland Independent Retail Trade Association seeking an opportunity to brief on recent developments in planning policy.

Agreed: The Committee agreed to schedule a briefing from the Northern Ireland Independent Retail Trade Association.

The Committee noted an advance copy of the Minister's Review into the Excavation of a Crannog in Drumclay.

The Committee noted a copy of correspondence to the Department from the Committee for Enterprise, Trade & Investment requesting further information on the Renewable Heat Incentive.

The Committee noted a copy of correspondence from the Department to the Committee for Regional Development concerning an Air Quality Survey in Dungiven.

The Committee noted the Investment Strategy for Northern Ireland Investing Activity Report for September 2014.

The Committee noted the Reform Inform update from the Department.

The Committee noted correspondence from West Tyrone Against Wind Farms.

The Committee noted the Northern Ireland Local Government Officers' Superannuation Committee Annual Report and Accounts for 2013/14.

The Committee noted a Nebosh News Update.

The Committee noted correspondence from Imtac on assessing the impact of the Accessible Transport Strategy on the provision of information about transport in Northern Ireland

The Committee noted the October 2014 issue of Irish Environment.

The Committee noted a press release from the European Forum for Renewable Energy Sources on renewable energy targets.

19. Forward Work Programme

The Committee noted the Forward Work Programme.

20. Any Other Business

No other business was discussed.

21. Date, Time and Place of next meeting

The next meeting will be held Thursday 23rd October 2014 in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 1.13pm.

Anna Lo, MLA
Chairperson, Committee for the Environment
23 October 2014