



Northern Ireland
Assembly

Committee for the Environment
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From: Ciara McKay
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Date: 29th January 2016

To: Kathy O'Hanlon
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Deputy First Minister

Subject: European Priorities Response

Please see attached response to the OFMDFM Committee regarding European Priorities as requested.

EUROPEAN COMMISSION WORK PROGRAMME 2016 – COMMITTEE PRIORITIES

Committee: **Committee for Environment**

Background

The Committee considered correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the European Commission (EC) Work Programme at its meeting on 3 December 2015 and agreed that a draft response should be prepared for the Committee's consideration, outlining EU priority areas that the successor committee may wish to consider.

The draft response is below for Members consideration. It is split into two sections: EU activity that the Environment Committee's successor may wish to prioritise; and an update on the work undertaken by the Committee during its consideration of last year's priorities.

Agreed Priorities from the 2016 European Commission Work Programme

Priority 1: Maritime Marine Framework

In July 2014, the European Parliament and the Council adopted Directive 2014/89/EU to create a common framework for maritime spatial planning in the European Union. The Directive places a legal requirement on Member States to develop and implement Maritime Spatial Plans (MSP) by 2021 at the latest. Ultimately, the Directive aims to establish 'a framework for maritime spatial planning aimed at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources.' Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 18 September 2016.

The Northern Ireland Executive is legally responsible for implementation of European Directives within waters and for developing marine plans in both the inshore (0-12 nautical miles) and the offshore (12 nautical miles to its territorial boundary) under the Marine Act (Northern Ireland) 2013.

This Act enabled the DoE to proceed with its preparation of Northern Ireland's first Marine Plan; this is expected to be published for Public Consultation in early 2016.

Planned committee action

The relevant successor Committee may wish to consider the outcome of the Department's consultation on the Marine Plan; and to ascertain from the Department any resulting action.

Priority 2: Reduction of national emissions (NEC), 'Clean Air Directive'

The Commission is seeking to introduce new measures to reduce air pollution. The clean air policy package will update existing legislation to further reduce harmful emissions from industry, traffic, energy plants and agriculture, with a view to reducing their impact on human health and the environment.

This proposal will see a revised National Emission Ceilings Directive with stricter national emission ceilings. Although the UK Government leads on international and European legislation Air quality is a devolved matter, therefore this change any change here will require changes to local legislation.

Planned committee action

The Committee will be taking evidence from Departmental officials on the North South Ministerial Council Report into residential Emissions from burning solid fuel before the end of the mandate.

The successor Committee may wish to ascertain from the new department how it intends to implement any outstanding recommendations and key findings (if appropriate). The Committee may also wish to ascertain from its department the

programme of legislative change that may be required as a result of 'Clean Air Directive'.

Priority 3: EU Nature Legislation

As part of its Regulatory Fitness and Performance Programme (REFIT), the European Commission is undertaking a Fitness Check of the EU nature legislation, the Birds Directive and the Habitats Directive ('the Nature Directives'). This involves a comprehensive assessment of whether the current regulatory framework is "fit for purpose". The Directives require Member States to take a variety of measures including the designation of protected areas for birds (Special Protection Areas) and for habitats and species of Community interest (Special Areas of Conservation), which together comprise the Natura 2000 network, and the adoption of strict systems of species protection.

Planned committee action

The successor Committee may wish to monitor the outcome of the assessments of the Birds and Habitats Directives which is currently ongoing and which is due to be completed in 2016.

Priority 4: Regulation (EU) No 660/2014 Regulation (EC) No 1013/2006 on shipments of waste.

Regulation (EU) No 660/2014 of 15 May 2014 strengthens the requirements for inspection of shipments of waste within the EU and between the EU and third countries. For this purpose, it amends Regulation (EC) No 1013/2006 of 14 June 2006 on shipments of waste. Thus, Member States must have established plans for inspections by 1 January 2017. Member states will be required to establish one or more inspection plans no later than 1 January 2017 (Article 50). These plans, drawn up for the entire geographical territory of the Member State, should be based on a risk assessment on waste streams and sources of illegal trafficking.

Planned committee action

The successor Committee may wish to ascertain whether these regulations will have any impact in Northern Ireland in terms of illegal waste.

Other EU activity planned for 2016

None

Other comments

COMMITTEE ACTIVITY ON 2015 EUROPEAN PRIORITIES

Priority 1: Strategic Framework for the Energy Union

The Committee considered and approved the Emissions Performance Standard Monitoring and Enforcement Regulations (Northern Ireland) 2015 at its meeting on 3 September 2015. It also considered the House of Lords Select Committee on the European Union Report on EU energy governance at its meeting on 7 January 2016.

Priority 2: Communication on the Road to Paris – multilateral response to climate change

The Committee tabled an Assembly debate, in advance of the Minister of the Environment's attendance at the conference, to debate issues of climate change including the identification to measures that could be taken to help achieve targets to the reduction of greenhouse gas emissions. The Minister announced his intention to issue a discussion paper on a Climate Change Bill for Northern Ireland; and the Committee will be briefed by officials in early March on the outcome of that discussion paper and the Climate Change conference in Paris.

The Committee has also considered reports from the UK Committee on Climate Change.

Priority 3: Evaluations carried out under the Regulatory Fitness and Performance programme (REFIT)

The Committee met with stakeholders to hear their concerns of the potential implications to the Birds and Habitats Directives as a result of the EU review into the legislation as part of the REFIT programme.

The Committee sought assurances that the concerns of stakeholders were reflected in the overall UK response to the EU Consultation.

Other EU activity undertaken in 2015

The Committee received an oral briefing from officials on European issues, including funding and priorities.

Other comments