

## Committee for the Environment End of Session Report 1 September 2013 – 31 August 2014

### Membership and Powers

The Committee for the Environment is a Statutory Departmental Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, section 29 of the Northern Ireland Act 1998 and under Standing Order 48.

The Committee has power to:

- Consider and advise on Departmental budgets and annual plans in the context of the overall budget allocation;
- Consider relevant secondary legislation and take the Committee stage of primary legislation;
- Call for persons and papers;
- Initiate inquiries and make reports; and
- Consider and advise on any matters brought to the Committee by the Minister of the Environment

The Committee has 11 members including a Chairperson and Deputy Chairperson and a quorum of 5. The membership of the Committee during this reporting period has been as follows:

Ms Anna Lo MBE (Chairperson)

Mrs Pam Cameron (Deputy Chairperson) <sup>1</sup>

Mr Cathal Boylan

Mr Colum Eastwood

Mr Alban Maginness<sup>2</sup>

Mr Ian McCrea<sup>3</sup>

Mr Barry McElduff

Mr Ian Milne

Lord Morrow

Mrs Sandra Overend<sup>4</sup>

Mr Peter Weir

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<sup>1</sup> Mrs Pam Cameron replaced Mr Simon Hamilton on 10 September 2013

<sup>2</sup> Mr Alban Maginness replaced Mrs Dolores Kelly on 7 October 2013

<sup>3</sup> Mr Ian McCrea replaced Mr Sydney Anderson on 16 September 2013

<sup>4</sup> Mrs Sandra Overend replaced Mr Tom Elliott with effect from 04 July 2014

## Overview

During the Assembly session 2013-2014 the Environment Committee continued its scrutiny of a wide range of issues referred to it by the Department. This included the completion of the Committee stages of the Carrier Bags Bill and the Local Government Bill, and the commencement of the Committee stage of the Road Traffic (Amendment) Bill.

The Committee also initiated an inquiry into wind energy.

In the course of this work the Committee engaged with a wide range of stakeholders, both within and outside Parliament Buildings.

## Primary Legislation

The [Carrier Bags Bill](#), which allows the current charge on carrier bags to be applied to a wider variety of bags, was referred to the Committee on 12 June 2013; 10 responses were received to its request for written evidence on the clauses of the Bill. The Committee was broadly supportive of the Bill, but members expressed serious concerns about the proposed commencement date for the new provisions which were intended to be introduced as soon as the Bill received Royal Assent in April 2014. In response to these concerns, the Minister agreed that the Bill should not come into effect before 5 January 2015. The Committee welcomed the Minister's response and agreed that this delay in implementation would allow the Department to raise public awareness of the changes and would also ensure that retailers were adequately prepared to administer the new scheme.

A significant level of reform to the current structure and procedures of local councils was introduced by the [Local Government Bill](#). The Committee began its scrutiny of the Bill on 1 October 2013 and took evidence from a range of relevant organisations; this included an engagement event in the Long Gallery to allow stakeholders to put forward their views on key areas of the Bill directly to Committee members. In its formal [Report](#) on the Bill, which was published in February 2014, the Committee made several recommendations and suggested amendments to the Department. Where the Minister did not accept these recommendations, the Committee brought forward its own amendments for Assembly debate and inclusion in the Bill at a further stage.

The Committee also began its consideration of the Road Traffic (Amendment) Bill on 27 May 2014 and issued a call for evidence over the summer recess. The Committee stage of this Bill is scheduled to end by 27 March 2015.

## Subordinate Legislation

During the year the Committee scrutinised 34 Statutory Rules dealing with areas right across the Department's remit. In addition, members considered a number of proposals for future subordinate legislation and ensured that the Committee's views were reflected in the Rules which are still to be drafted.

The high volume of subordinate legislation required to implement the Local Government Bill will form part of the Committee's workload over the next session, but some of these Rules had already been referred to the Committee for scrutiny during this period. The Committee was content with the Local Government Code of Conduct and regulations relating to the

Transitional Arrangements for the Shadow Councils, and recommended that these Rules should be affirmed when they are referred to the Assembly for debate.

In May 2014 the Committee was also content to work closely with the Department to introduce urgent legislation banning election posters from the route of the Giro d'Italia. At the Minister's request the Committee agreed to shortcut its normal procedures in order to expedite Executive policy on this issue which was strictly time-bound by the date of the cycle race.

## **Inquiry into Wind Energy**

During the 2013-2014 session the Committee initiated an [inquiry into Wind Energy](#), in response to concerns raised by residents who live in close proximity to existing or proposed wind farms. The Committee received almost 100 submissions from stakeholders when it requested written evidence, indicating the high level of public interest in this issue.

The Committee has held a number of briefing sessions to address specific elements of the terms of reference, as well as a stakeholder event on 12 June 2014 which focused particularly on the aspect of community engagement. The Committee has also appointed an acoustician as a specialist advisor, to prepare a report on sound issues by September 2014.

As part of the Inquiry the Committee visited Crighshane Wind Farm site, and the adjacent sub-station, to gain an understanding of how power is produced; the Committee also visited local residents and heard their concerns at first-hand.



**Committee members visit a wind farm at Crighshane, Co Tyrone, in June 2014**

The Committee plans to conclude its evidence gathering, and to formulate its findings, in the autumn of 2014.

## **Budget Scrutiny**

Throughout the session the Committee has received briefings and updates from the Department on its budgetary position. The Committee has closely scrutinised the Department's proposed monitoring round bids and agreed that the funding sought by these bids was appropriate.

The Committee also supported the Minister in his successful attempt to obtain funding to secure the future of the Exploris Aquarium and seal sanctuary in Portaferry.

## **Policy Scrutiny**

Throughout the year the Committee has continued to scrutinise the policies underlying the on-going restructuring and reform of local government. Some of this policy has been formalised in the Local Government Act 2014, but there were also significant aspects still to be finalised. The Committee has ensured that the Department has kept it updated with the development of a code of conduct for local councillors, and it has welcomed the Department's response to members' concerns that councillors should be adequately trained by formulating a range of capacity-building measures for local government.

The Committee has consistently challenged the Department on areas of policy that it feels are unacceptable, such the introduction of single-tier licensing for both public and private hire taxis and the enforcement of the UK HGV Road User Levy in Northern Ireland, and has deferred further consideration of subordinate legislation until the underlying policy issues have been resolved in these areas.

## **Engagement**

The Committee very much values opportunities to engage with members of the public, both as individuals and organisations, and to this end sought the views of its stakeholders in events held in the Long Gallery, Parliament Buildings, on the Local Government Bill and on its wind energy inquiry.

On 28 November 2013 the Committee invited around 60 people to present their views directly to members on the clauses of the Local Government Bill. Participants were invited primarily to focus on clauses which had been highlighted by the [written submissions](#) to the Committee's call for evidence, and Departmental officials who attended the event also participated in the discussion. Members found this to be a very useful evidence-gathering opportunity as it enabled them not only to gather a wide range of information but also to interact directly with stakeholders.

The wind inquiry stakeholder forum was also held in the Long Gallery, Parliament Buildings, on 12 June 2014, and took the form of a discussion based on questions on community engagement which were issued to participants prior to the event. The event allowed members to consider a wide range of differing viewpoints and provided useful input for the findings of the inquiry.

Both of these events were recorded by Hansard and the official transcripts of proceedings can be accessed [here](#).

Throughout the session the Committee has also held informal meetings with a wide range of stakeholders outside of its normal meetings in order to maximize engagement opportunities.

## Meetings Held

During the period of this report, from 1 September 2013 to 31 August 2014, the Committee met 38 times. Almost all of these meetings were open to the public, but it was necessary for the meeting to move from public session into closed session to consider 15 items of business. These items related to the discussion of Committee reports and the oral communication of legal advice on various issues.

One meeting was held at Lough Neagh Discovery Centre, Oxford Island, to enable Committee members to discuss and determine their priorities for the forthcoming Assembly session. A further Committee meeting took place outside Parliament Buildings at Magee College, Londonderry, as part of the Assembly's involvement with the City of Culture 2013 programme. As part of its scrutiny of the Carrier Bags Bill the Committee met with Departmental officials based in the city whose role is to implement the bag-charging scheme; the meeting also allowed members, together with other Committees, to engage with some of the cultural aspects of the event.



**Committee members with the Mayor of Derry City Council, Cllr Martin Reilly, and the Speaker of the Northern Ireland Assembly, Mr William Hay, at The Shirt Factory in October 2013**

**Visits**

In addition to the visits referred to above, the Committee undertook a visit to Scotland. A cross-party delegation travelled to Edinburgh and Dundee to see at first-hand how local government reorganisation has been delivered in a comparable jurisdiction, ahead of the Committee’s scrutiny of the subordinate legislation and guidance relating to the Local Government Bill.

Similar legislation in Scotland, and the processes associated with it, has been the subject of constant review and evaluation, and the Committee believed that it would be particularly useful to see how the lessons learned there have resulted in an improved service provision.

The visit took a ‘top down’ approach to enable members to understand policy intention at the highest level, as well as its application both regionally and locally. This was reflected in the visit which included a meeting with the Scottish Minister with responsibility for Local Government and Planning, Derek McKay MSP, as well as local council officials and community groups.



**Members after their meeting with Mr Derek McKay MSP, Scottish Minister with responsibility for Local Government and Planning**

The visit also included engagement with officials from the Tay Plan Strategic Development Planning Authority; with councillors from Dundee City Council to discuss the new role of councillors in dealing with planning applications and ensuring effective input from the

community and voluntary sector; and a visit to an area of Edinburgh (Craigmillar) where issues of deprivation and social exclusion are being addressed through community planning.



**Members discussing the facilities at Craigmillar Library and Community Hub with an official from Edinburgh City Council in March 2014**

Members learned how community planning had increased the sense of engagement in many deprived areas and had resulted in local projects achieving a much greater outcome than was initially envisaged with the limited funding available.

In pursuing another aspect of its role, the Committee learned of the reduced environmental impact of a home which consumes little or no energy, when it accompanied representatives from the NI Assembly Business Trust on an educational visit to a 'passive house' in Crawfordsburn. Members were interested to discover that a 'passive house' primarily relies on 'passive' forms of heating and is built with so much insulation that it will require only the heat generated by its inhabitants to keep it comfortable and warm.

### **Key priorities for 2014 – 2015**

The Committee will meet on 18 September 2014 to determine its key priorities for the next session. Members are likely to focus on completing their evidence-gathering process for their inquiry into wind energy, and to formulate their conclusions and recommendations in a formal report after the Halloween recess.

The Committee will also resume its scrutiny of the Road Traffic (Amendment) Bill and the large volume of subordinate legislation relating to the Local Government Act. In addition, it will continue to monitor the effectiveness of waste management strategies and the measures taken to address environmental crime.

## ANNEX A

### Committee for the Environment – Expenditure for the period

<b>Budget area</b>	<b>Details</b>	<b>Expenditure</b>
<b>Committee travel –</b> Committee members and staff travel and subsistence in relation to visits and meetings outside Parliament Buildings	Includes the costs of external meetings at the Lough Neagh Discovery Centre and Magee College; also a visit to Edinburgh and Dundee, as well as a wind farm site visit in Co. Tyrone.	£4643.15
Printing of <b>Committee reports</b>	Reports – both hardcopy and electronic - on the Carrier Bags Bill and the Local Government Bill	£2225.92
<b>Advertising –</b> the cost of public notices relating to Committee inquiries, the Committee stage of bills and meetings held outside Parliament Buildings	Public notices calling for evidence on the Local Government Bill, Inquiry into Wind Energy and the Road Traffic (Amendment) Bill	£1882.36
General expenses	Committee meeting refreshments, room hire, stakeholder engagement events and hospitality	£3115.10
<b>Total</b>		<b>£11866.52</b>