



**Northern Ireland  
Assembly**

**COMMITTEE FOR THE ENVIRONMENT**

**MINUTES OF PROCEEDINGS**

**THURSDAY, 22 OCTOBER 2015**

**SENATE CHAMBER, PARLIAMENT BUILDINGS**

Present: Ms Anna Lo MLA (Chairperson)  
Mrs Pam Cameron MLA (Deputy Chairperson)  
Mr Barry McElduff MLA  
Mr Gary Middleton MLA  
Mrs Sandra Overend MLA  
Lord Morrow MLA

In Attendance: Miss Ciara McKay (Assembly Clerk)  
Mr Mark McQuade (Assistant Clerk)  
Mr Neil Sedgewick (Clerical Supervisor)  
Ms Suzi Cave (Research & Information Service)  
Ms Stephanie Mallon (Bill Clerk)

Apologies: Mr Cathal Boylan MLA  
Mr Colum Eastwood MLA  
Mr William Irwin MLA  
Mr Alban Maginness MLA  
Mr Ian Milne MLA

The meeting opened in public session at 10.20am.

**1. Apologies.**

The apologies are noted above.

**2. The Environmental Better Regulation Bill - Deliberation of clauses**

***The Committee moved to item 15.***

*Officials joined the meeting at 10.21am.*

|                |  |
|----------------|--|
| Mr Robert Gray | Regulatory and Natural Resources Policy Division           |
| Mr Dave Foster | Director, Regulatory and Natural Resources Policy Division |

The Committee noted that it had considered clauses 1 to 5 at its meeting on 15 October 2015 and was content with clauses 2 and 4.

The Committee noted a response from the Department to issues raised on clauses 1, 3 and 5.

The Committee carried out an informal deliberation of the following clauses while officials remained in attendance:

**Clause 1 - General purpose: protecting and improving the environment.**

*Mr Middleton joined the meeting at 10.28am.*

*Agreed: The Committee agreed that it was content with the Department's proposed amendment on this clause.*

**Clause 3 - Regulations relating to protecting and improving the environment: consultation**

*Agreed: The Committee agreed that it was content with the Department's proposed amendment on this clause.*

**Clause 5 – Interpretation**

Officials agreed to provide additional information in the Explanatory and Financial Memorandum.

*Agreed: The Committee agreed that it was content with the Department's intention to add additional information surrounding this clause into the Explanatory and Financial Memorandum. Officials agreed to provide the wording for the Committee's consideration on 5<sup>th</sup> November.*

**Clause 6 - Repealing, etc. unnecessary or inappropriate powers of entry, etc.**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

**Clause 7 - Adding safeguards to powers of entry**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

**Clause 8 - Rewriting powers of entry**

The Committee noted the proposed technical amendment by the Department to this Clause.

*Agreed: Officials agreed to provide additional information on the amendment in the Explanatory and Financial Memorandum.*

*Agreed: The Committee agreed that it was content with the Department's proposed amendment on this clause.*

**Clause 9 - Review of powers of entry**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

**Clause 10 - Consultation requirements**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 11 – Regulations**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 12 - Code of practice in relation to powers of entry**

*Agreed: The Committee agreed to ask the Department to consider an amendment to allow for further Assembly scrutiny of the Code of Practice.*

### **Clause 13 – Interpretation**

*Mrs Overend left the meeting at 10.59am.*

Officials agreed to provide additional information in the Explanatory and Financial Memorandum on the definition of “premises”.

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill. Officials agreed to provide the wording to be added into the Explanatory and Financial Memorandum to the Committee at its meeting on 5<sup>th</sup> November.*

### **Clause 14 - Authorised fuel**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 15 - Exempt fireplaces**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 16 - Removal of assessments under Article 13**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 17 - Amendments consequential on the amendments to Article 13**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 18 - Enforcement authorities**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 19 - Regulations relating to wholesomeness of water**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 20 - Appointment and powers of inspectors**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 21 - Publication of certain information and advice**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 22 - Transitional provisions**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 23 - Regulations and orders**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 24 – Interpretation**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 25 - Repeals and revocations**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Clause 26 - Commencement**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

*Lord Morrow left the meeting at 11.22am.*

***The meeting was suspended due to loss of quorum at 11.22am.***

*Lord Morrow rejoined the meeting at 11.27am.*

***The meeting resumed at 11.27am as quorum was restored.***

### **Clause 27 - Short title**

*Agreed: The Committee agreed that it was content with the clause as drafted in the Bill.*

### **Schedule 1 - Matters for, or in connection with, which regulations may be made under section 2**

*Agreed: The Committee agreed to ask the Department to consider an amendment to remove the words 'Further defining environmental activities' in paragraph 1.*

*Agreed: Officials agreed to provide to the Committee clarification of the reason why a maximum fine is defined in the Bill in paragraph 13(10) but not a minimum fine; and to further explain paragraph 13(11).*

### **Schedule 2 Repeals**

*Agreed: The Committee agreed that it was content with Schedule 2 as drafted in the Bill.*

### **Schedule 3 Revocations**

*Agreed: The Committee agreed that it was content with Schedule 3 as drafted in the Bill.*

*Officials left the meeting at 11.47am.*

**[Extract]**