



Northern Ireland
Assembly

**COMMITTEE FOR INFRASTRUCTURE
MINUTES OF PROCEEDINGS**

WEDNESDAY, 29 APRIL 2020

THE SENATE CHAMBER, PARLIAMENT BUILDINGS

Present: Ms Michelle McIlveen MLA (Chairperson)
Mr David Hilditch MLA (Deputy-Chairperson).
Ms Martina Anderson MLA
Mr Roy Beggs MLA
Mr Cathal Boylan MLA
Mrs Dolores Kelly MLA
Ms Liz Kimmins MLA
Mr Andrew Muir MLA

Apologies: Mr Keith Buchanan MLA

In Attendance: Mrs Cathie White (Assembly Clerk)
Mr Vincent Gribbin (Assistant Assembly Clerk)
Mr Johnny Lawless (Clerical Supervisor)
Mr Bill Kinnear (Clerical Officer)

The meeting commenced in open session at 10:07 am.

1. Apologies

As above.

2. Chairpersons Business

The Committee considered a paper containing decisions made at the Strategic Planning Day on 18 March 2020. During the meeting, the Committee agreed the following actions:

Agreed: That the Communications Officer provides the viewing statistics for the live streaming of Committee meetings.

Agreed: That the EU Affairs Manager provides information on the list of Common Framework.

Agreed: Cancellation of all Committee visits.

Agreed: To schedule briefings only related to essential business related to the Health Crisis, EU Withdrawal, the Budget or Legislation.

Agreed: To seek briefings from Translink and from the Road Hauliers Association regarding the impact of the crisis on their operations.

Agreed: To forward correspondence from an individual to Translink regarding the policy surrounding bus drivers during the health crisis for comment.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Wednesday 11 March 2020.

4. Matters Arising

The Committee made a number of decisions in accordance with Standing Orders which were amended on 31 March 2020 to enable the decision making process to continue during the extraordinary time of the Coronavirus Health Crisis. Those decisions were as follows:

- The Committee agreed to write to the Minister for Infrastructure regarding issues raised by the Road Haulage Association and Translink as a consequence of the cancellation of their briefings on Wednesday 25 March 2020. Issued to Members on 27 March 2020.

The Members listed below gave their consent (via email) to the issuing of the correspondence.

Michelle McIlveen

Martina Anderson

Roy Beggs

Cathal Boylan

Keith Buchanan

Dolores Kelly

Liz Kimmins

Andrew Muir

- The Committee agreed to forward correspondence from the Committee for Finance regarding the Indicative Timetable for the Executive Budget 2020-2021. Issued to Members on 27 March 2020.

The Members listed below gave their consent (via email) to the issuing of the correspondence.

Michelle McIlveen
David Hilditch
Martina Anderson
Cathal Boylan
Keith Buchanan
Dolores Kelly
Liz Kimmins
Andrew Muir
Roy Beggs

- The Committee considered guidance issued for Assembly Committees procedures during the public health crisis and Temporary Standing Orders. If Members are content, the Chairperson has asked that we re-assess how to proceed after the Easter Recess, focusing on the Covid-19 response and other essential business and, that as a result, non-essential business should be avoided. Issued to Members on 27 March 2020.

The Members listed below gave their consent (via email) to the issuing of the correspondence.

Michelle McIlveen
David Hilditch
Martina Anderson
Cathal Boylan
Keith Buchanan
Dolores Kelly
Liz Kimmins

- The Committee considered correspondence from the Chairperson regarding the way forward and how the Committee should conduct business during the COVID-19 health crisis. Issued to Members on 2 April 2020.

The Members listed below gave their consent (via email) to the way forward.

Michelle McIlveen
David Hilditch
Martina Anderson
Cathal Boylan
Keith Buchanan
Dolores Kelly
Liz Kimmins
Andrew Muir

- The Committee considered correspondence from the Committee for Finance regarding revised arrangements for the In-Year Monitoring Round 2020-21. Issued to Members on 2 April 2020.

The Members listed below gave their consent (via email) to the way forward.

Michelle McIlveen

*David Hilditch
Martina Anderson
Cathal Boylan
Keith Buchanan
Liz Kimmins
Andrew Muir*

- The Committee considered a request to publish written Departmental briefing papers on the Committee webpage. Issued to Members on 3 April 2020.

The Members listed below gave their consent (via email) to the publishing of briefing papers.

*Michelle McIlveen
Martina Anderson
Roy Beggs
Cathal Boylan
Keith Buchanan
Liz Kimmins
Andrew Muir*

- The Committee considered the SL1 The Taxi Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 from the Department for Infrastructure and agreed that it was content with the proposal. Issued to Members on 8 April 2020.

The Members listed below gave their consent (via email) to the Department

*Michelle McIlveen
David Hilditch
Martina Anderson
Roy Beggs
Cathal Boylan
Keith Buchanan
Dolores Kelly
Liz Kimmins
Andrew Muir*

- The Committee considered SR 2020-64 The Taxi Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020, and, subject to the Examiner of Statutory Rules' report, had no objection to the rule. Issued to Members on 9 April 2020.

The Members listed below gave their consent (via email) to the Department

*Michelle McIlveen
David Hilditch
Martina Anderson
Cathal Boylan
Keith Buchanan
Dolores Kelly
Liz Kimmins*

*Andrew Muir
Roy Beggs*

- The Committee considered the SL1 - Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulation (Northern Ireland) 2020 from the Department for Infrastructure and agreed that it was content with the proposal. Issued to Members on 24 April 2020.

The Members listed below gave their consent (via email) to the Department

*Michelle McIlveen
David Hilditch
Martina Anderson
Cathal Boylan
Keith Buchanan
Dolores Kelly
Liz Kimmins
Andrew Muir*

5. Ministerial Briefing – COVID-19 Update & Budget

The Minister and Departmental officials joined the meeting at 10:09 am

Ms Nichola Mallon, Minister for Infrastructure
Mrs Katrina Godfrey, Permanent Secretary, Department for Infrastructure
Mr John McGrath, Deputy Secretary, Transport & Resources
Mr Gary Boyd, Director of Finance

The Minister and Departmental officials provided the Committee with an update on the Departmental COVID-19 Response & Budget 2020-2021

The oral evidence session was reported by Hansard.

A question and answer session followed.

The Chairperson thanked the Minister and her officials for their attendance.

The Minister and her officials left the meeting at 11:36 am.

Agreed: The Committee agreed to forward the Assembly Research Briefing Paper on Budget Scrutiny to the Department for Infrastructure requesting that they provide answers to the scrutiny questions contained in the paper that are relevant to the Department.

Agreed: The Committee agreed to write to the Department for Finance to ascertain if there have been any discussions with the British Government in relation to receiving funding for deficits created in the budget as a result of austerity measures.

6. Correspondence

Correspondence from the Public Accounts Committee regarding Major Capital Projects – A5/A6 Case Study.

Agreed: The Committee agreed to note the correspondence.

Departmental correspondence providing details of the appointment of Non-Executive Members to the Board of the Belfast Harbour Commissioners.

Agreed: The Committee agreed to note the correspondence.

Departmental response to issues arising from the Committee meeting on 26 February 2020.

Agreed: The Committee agreed to note the correspondence.

Response from the Department of Justice to Committee correspondence regarding Driving Licences and Penalty Points.

Agreed: The Committee agreed to note the response.

Correspondence from the Committee for Procedures regarding a review of the current procedures for handling Legislative Consent Motions and further correspondence that the review was being paused indefinitely due to the Coronavirus Health Crisis.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Committee for the Economy confirming they would not be participating in the joint visit to Larne Port.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Criminal Justice Inspection Northern Ireland providing a copy of the Driving Change Follow-Up Review – A follow-up review of the 2016 Enforcement of Road Traffic Legislation in Northern Ireland Inspection.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Committee for Finance regarding the indicative timetable for the Executive Budget 2020-2021.

Agreed: The Committee agreed to note the correspondence.

Correspondence from a member of the public regarding the use of parking bays by businesses in Belfast City Centre.

Agreed: The Committee agreed to write to the individual and inform them that this is not a matter for the Committee.

Response from Translink to Committee correspondence regarding the protocol for bus drivers during the Coronavirus Health Crisis.

Agreed: The Committee agreed to note the response.

Correspondence from the Minister for Infrastructure regarding public transport provision in response to the Coronavirus Health Crisis.

Agreed: The Committee agreed to the correspondence.

Correspondence from the Freight Transport Association regarding issues facing the transport sector as a result of the Coronavirus Health Crisis.

Agreed: The Committee agreed to note the correspondence.

Departmental response to issues arising from the Committee meeting on 4 March 2020.

Agreed: The Committee agreed to note the response and forward it to the Friends of Knock Iveagh for information.

Correspondence from the Committee for Finance requesting that Departments present written evidence to the Committees in respect of the budget due to the Coronavirus Health Crisis

Agreed: The Committee agreed to note the correspondence.

Response from Translink to Committee correspondence of 24 March 2020 regarding issues to raise with the Minister in respect of the Coronavirus Health Crisis.

Agreed: The Committee agreed to note the response.

Correspondence from the Minister for Infrastructure regarding a further reduction in the Public Transport Service as a reaction to the Coronavirus Health Crisis.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Investing Strategy for Northern Ireland – Department for Infrastructure Investment Activity Report – March 2020.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Committee for Finance regarding Committee scrutiny of the Executive Budget Process 2020-2021.

Agreed: The Committee agreed to note the correspondence.

Departmental correspondence & Press release notifying the Committee of the Appointment of a Chairperson to the Board of Northern Ireland Water.

Agreed: The Committee agreed to note the correspondence.

Ministerial response to Committee correspondence of 5 March 2020 regarding the funding of Translink.

Agreed: The Committee agreed to note the response.

Ministerial response to Committee correspondence of 12 March 2020 regarding issues arising from the Committee meeting on 11 March 2020.

Agreed: The Committee agreed to note the response.

Correspondence from the Committee for Finance regarding revised arrangements for In-Year Monitoring Rounds.

Agreed: The Committee agreed to note the correspondence.

Response from Northern Ireland Water to Committee correspondence requesting further information following the briefing on 11 March 2020.

Agreed: The Committee agreed to note the response.

Correspondence from the Freight Transport Association detailing financial pressures on the logistical sector.

Agreed: The Committee agreed to note the correspondence.

Departmental response to issues arising from the Committee meeting on 11 March 2020.

Agreed: The Committee agreed to note the response.

Written Ministerial statement providing an updated position on Departmental issues faced as a result of the Coronavirus Health Crisis.

Agreed: The Committee agreed to note the statement.

Copy correspondence from The Speakers Office advising the Minister for Infrastructure of her scheduled attendance before the Ad Hoc Committee on the COVID-19 Response.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Northern Ireland Taxi Drivers highlighting issues in relation to PSV Licensing during the Coronavirus Health Crisis.

Agreed: The Committee agreed to write to the Department seeking clarification regarding the process for receiving a PSV licence for a vehicle for the first time in the current circumstances.

Response from Translink to Committee correspondence regarding the funding shortfall.

Agreed: The Committee agreed to note the response.

Minister for Infrastructure oral statement to the Ad Hoc Committee on the COVID-19 Response.

Agreed: The Committee agreed to note the statement.

Copy correspondence from the Department for Finance to the Committee for Finance, dated 20 April 2020, regarding the Budget 2020-21 and the COVID-19 Response.

Agreed: The Committee agreed to note the correspondence.

Copy correspondence from the Department for Finance to the Committee for Finance, dated 21 April 2020, regarding the Budget 2020-21 and the COVID-19 Response.

Agreed: The Committee agreed to note the correspondence.

Minister correspondence detailing the proposed adjustment to public transport provision from 25 April 2020 - COVID-19 Response.

Agreed: The Committee agreed to note the correspondence.

Written Ministerial statement regarding the Audit Investigation Report on the Driver and Vehicle Agency lifts.

Agreed: The Committee agreed to note the statement and to schedule a briefing regarding the report post COVID-19.

Correspondence from the Committee for the Executive Office regarding the New Decade New Approach document.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Investing Strategy for Northern Ireland – Department for Infrastructure Investment Activity Report – April 2020.

Agreed: The Committee agreed to note the correspondence.

Correspondence from Fermanagh & Omagh District Council inviting the Committee to meet with the Council to discuss strategic issues relevant to the district.

Agreed: The Committee agreed to note the correspondence and include it in the strategic planning day.

Correspondence from Regency Cabs and Northern Ireland Taxi Association regarding issues being faced by the Taxi Industry as a result of COVID-19.

Agreed: The Committee agreed to note the correspondence.

Correspondence from the Minister for Infrastructure regarding the extension of planning permissions during the COVID-19 health crisis.

Agreed: The Committee agreed to note the correspondence.

Correspondence from an individual Taxi driver regarding issues being faced by the Taxi Industry as a result of COVID-19.

Agreed: The Committee agreed to note the correspondence.

7. Subordinate Legislation – Not Subject to Assembly Proceedings

The Committee considered the SL1's listed below which are not subject to any Assembly proceedings.

- The Taxis (Carrickfergus) Order (Northern Ireland) 2020.
- The Taxis (Portstewart) Order (Northern Ireland) 2020.
- The Taxis (Magherafelt) Order (Northern Ireland) 2020.

Agreed: The Committee were content with the proposals for the Statutory Rules.

8. SL1 – Amendments to The Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993

The Committee considered the SL1 – Amendments to The Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993.

Agreed: The Committee agreed that it was content to note the proposal for the Statutory Rule.

9. SL1 – The Craigs Road, Carrickfergus, (Abandonment) Order (Northern Ireland) 2020

The Committee considered the SL1 – The Craigs Road, Carrickfergus, (Abandonment) Order (Northern Ireland) 2020.

Agreed: The Committee agreed that it was content to note the proposal for the Statutory Rule.

10. SL1 – The Drumnagoon Road and Kernan Hill Road, Portadown (Abandonment) Order (Northern Ireland) 2020

The Committee considered the SL1 – The Drumnagoon Road and Kernan Hill Road, Portadown (Abandonment) Order (Northern Ireland) 2020.

Agreed: The Committee agreed that it was content to note the proposal for the Statutory Rule.

11. SL1 – The Kernan Road, Portadown (Footpath) (Abandonment) Order (Northern Ireland) 2020

The Committee considered the SL1 – The Kernan Road, Portadown (Footpath) (Abandonment) Order (Northern Ireland) 2020.

Agreed: The Committee agreed that it was content to note the proposal for the Statutory Rule.

12. SL1 – The Footpath at Mowhan Road and Bunker Hill, Markethill (Abandonment) Order (Northern Ireland) 2020

The Committee considered the SL1 – The Footpath at Mowhan Road and Bunker Hill, Markethill (Abandonment) Order (Northern Ireland) 2020.

Agreed: The Committee agreed that it was content to note the proposal for the Statutory Rule.

13. SL1 – The Taxis Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020

The Committee considered the SL1 by correspondence on 8 April 2020 in which Members gave their approval for the proposal – The Taxis Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 in accordance with Standing Orders which were amended on 31 March 2020 to enabled the decision making process to continue during these extraordinary time of the Coronavirus Health Crisis.

14. SL1 – The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulation (Northern Ireland) 2020

The Committee considered the SL1 by correspondence on 24 April 2020 in which Members gave their approval for the proposal – Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulation (Northern Ireland) 2020 in accordance with Standing Orders which were amended on 31 March 2020 to enabled the decision making process to continue during these extraordinary time of the Coronavirus Health Crisis.

15. Subordinate Legislation – SR's – Not Subject to Assembly Procedure

- The Committee considered the following SR not subject to any Assembly proceedings.
 - SR 2020-38 The Parking Places (Disabled Persons' Vehicles) (Amendment) Order (Northern Ireland) 2020.

Agreed: The Committee agreed to note the Statutory Rule.

16. SR 2020-31 The Electrically Assisted Pedal Cycles (Construction and Use) Regulations (Northern Ireland) 2020

The Committee considered SR 2020-31 The Electrically Assisted Pedal Cycles (Construction and Use) Regulations (Northern Ireland) 2020. The purpose of the rule is to define the classes of electrically assisted pedal cycles (EAPC) that is not to be treated as a motor vehicle and to set out the relevant requirements in relation to construction and use.

Agreed: The Committee considered SR 2020-31 The Electrically Assisted Pedal Cycles (Construction and Use) Regulations (Northern Ireland) 2020, and had no objection to the rule.

Agreed: The Committee agreed to write to the Business Committee to request that it prioritises the scheduling of the debate on this regulation.

17. SR 2020-39 The Motorways Traffic (Amendment) Regulations (Northern Ireland) 2020

The Committee considered SR 2020-39 The Motorways Traffic (Amendment) Regulations (Northern Ireland) 2020. The purpose of the rule is to extend the bus lane on the M1 Motorway at Sprucefield.

Agreed: The Committee considered SR 2020-39 The Motorways Traffic (Amendment) Regulations (Northern Ireland) 2020, and had no objection to the rule.

18. SR 2020-64 The Taxis Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020

The Committee considered SR 2020-64 by correspondence on 9 April 2020 in which Members gave their approval for the Statutory Rule - The Taxis Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 in accordance with Standing Orders which were amended on 31 March 2020 to enabled the decision making process to continue during these extraordinary time of the Coronavirus Health Crisis.

The purpose of the rule is to amend the Taxi Licensing Regulations (Northern Ireland) 2015 (SR 2015/393) to provide for the issue of an ‘automatic renewal licence’ during the Coronavirus Health Crisis.

The Committee agreed to move to agenda item number 21.

21. SR 2020-72 The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020

The Committee considered SR 2020-72 The Planning (Development Management) (Temporary

Modifications) (Coronavirus) Regulations (Northern Ireland) 2020. The purpose of the rule is to temporarily remove the requirement for a public event (and its associated advertising) as part of the pre-application community consultation process associated with planning applications for major development submitted during the emergency period (or 6 months after) during the Coronavirus Health Crisis.

Agreed: The Committee SR 2020-72 The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020, and, subject to the Examiner of Statutory Rules' report, had no objection to the rule.

The Committee agreed to go to agenda item number 19.

19. Any Other Business

Agreed: The Committee agreed to write to the Department for Finance, supporting the Minister for Infrastructure, in her bid for additional financial support; requesting that the Committee for Finance seeks clarity from the Minister for Finance as to why the Department for Infrastructure, with such a vital role to play in the COVID-19 response, was the only Committee not to receive additional funding from the COVID19 Fund; and seeks clarity on what funding will be made available to the Department for Infrastructure through the New Decade New Approach deal and when such funding can be expected.

Agreed: The Committee agreed to write to the Committees for Finance, Economy and Communities advising them of the request by representatives of Taxi organisations for the initiation of a scheme to offer financial help to the industry during this difficult period.

20. Date, Time and Place of next meeting

The Committee agreed that the next meeting would be arranged at the request of the Chairperson.

The Committee adjourned at 11:59 am

Ms Michelle McIlveen MLA
Chairperson, Committee for Infrastructure

27 May 2020