



**Northern Ireland  
Assembly**

**COMMITTEE FOR THE ENVIRONMENT**

**MINUTES OF PROCEEDINGS**

**THURSDAY 4 JULY 2013,  
SENATE CHAMBER, PARLIAMENT BUILDINGS**

- Present: Ms Anna Lo MLA (Chairperson)  
Mr Simon Hamilton MLA (Deputy Chairperson)  
Mr Sydney Anderson MLA  
Mr Cathal Boylan MLA  
Mr Tom Elliott MLA  
Mrs Dolores Kelly MLA  
Mr Barry McElduff MLA  
Mr Ian Milne MLA  
Lord Morrow MLA  
Mr Peter Weir MLA
- In Attendance: Mrs Sheila Mawhinney (Assembly Clerk)  
Mr Sean McCann (Assistant Assembly Clerk)  
Mr Neil Sedgewick (Clerical Supervisor)  
Ms Antoinette Bowen (Clerical Officer)
- Apologies: None
- Interests declared: Mr Sydney Anderson – member of Craigavon Borough Council  
Lord Morrow – member of Dungannon and South Tyrone Borough Council  
Mr Peter Weir – member of North Down Borough Council, member of North Down / Ards Transition Committee, member of NILGA.

*The meeting began in public session at 10:31am.*

## **1. Briefing by District Electoral Areas Commissioner**

The Committee agreed to move to agenda item 9.

Mr Richard Mackenzie (DEA Commissioner), Ms Liz Benson (Secretary to the Commissioner) and Ms Heather McKinley (Deputy Secretary to the Commissioner) briefed the Committee in relation to the outcome of the Commissioner's Provisional Recommendations report.

The main issues discussed were the nature and scope of the representations arising from the consultation, the number of public inquiries to be held and the proposed timetable for the completion of the District Electoral Commissioner's report.

## **2. NILGA Briefing on Waste Management**

The Committee agreed to move to agenda item 10.

Councillor Shaun Gallagher (Chair of the NILGA Waste, Health and Environment Working Group, Derry City Council), Mr Derek McCallan (NILGA Chief Executive) and Dr Tim Walker (Belfast City Council) briefed the Committee in relation to NILGA's response to the consultation on the waste management strategy.

The main issue discussed was the potential move to a statutory recycling target for local authority collected waste, and the difficulties associated with the implementation of this target.

*Agreed: The Committee agreed to request an analysis of the cost differentials for the collection and disposal of refuse from different coloured bins. The Committee also agreed to forward NILGA's briefing paper to the Department for comment.*

*The meeting was suspended at 12:25pm for a short break.*

*The meeting recommenced in public session at 12:32pm with the following members in attendance:*

*Ms Anna Lo, Mr Cathal Boylan, Mrs Dolores Kelly, Mr Barry McElduff and Mr Ian Milne.*

## **3. Apologies**

The Committee agreed to return to agenda item 1.

There were no apologies.

## **4. Chairpersons Business**

The Committee agreed to return to agenda item 2.

4.1 The Chairperson drew members' attention to the delay in the introduction to the Assembly of the Local Government Reorganisation Bill.

*Agreed: The Committee agreed to write to the Department for information on a timetable for the Bill.*

4.2 The Chairperson advised members of arrangements in place for the recess period.

4.3 The Chairperson updated members in relation to the outcome of the Department's bids in the June Monitoring Round.

*Agreed: The Committee agreed to write to the Department to ascertain how unsuccessful bids will be funded, and if these will now be included in the October Monitoring Round submission.*

4.4 The Committee noted details of the latest Chairpersons Liaison Group meeting held on 18<sup>th</sup> June 2013.

## **5. Minutes**

The Committee agreed to return to agenda item 3.

The minutes from the meeting of 27<sup>th</sup> June 2013 were agreed.

## **6. Matters Arising**

The Committee agreed to return to agenda item 4.

6.1 The Committee noted a Departmental reply in relation to wheelchair accessible taxis.

6.2 The Committee noted correspondence from the Departmental, the Local Government Staff Commission and NILGA regarding the Local Government (Statutory Transition Committee) Regulations (Northern Ireland) 2013.

6.3 The Committee noted a Departmental update in relation to Article 31 planning applications.

6.4 The Committee considered a Departmental update in relation to work being carried out to deliver the road safety message to schools.

*Agreed: The Committee agreed to forward the correspondence to the Committee for Education for information.*

*Mr Anderson re-joined the meeting at 12:39pm*

6.5 The Committee gave consideration to correspondence from West Tyrone Against Wind Farms requesting an opportunity to brief the Committee.

*Agreed: The Committee agreed to decline an oral briefing, but to accept any further written evidence.*

6.6 The Committee noted a letter from NIRIG expressing concerns at the TV coverage of the Committee's visit to Omagh.

6.7 The Committee noted an email from a member of the public in relation to wind farms in the Castlederg area.

6.8 The Committee considered a letter from SSE Airtricity in relation to concerns at the TV coverage of the Committee's visit to Omagh.

*Agreed: The Committee agreed to write to SSE Airtricity advising of the briefing to be held with NIRIG in September.*

*Mr McElduff left the meeting at 12.40 pm.*

6.9 The Committee noted a letter from the Minister advising that he had not yet finalised his statement on PPS 21.

*Mr Elliott re-joined the meeting at 12:41pm*

6.10 The Committee noted an Assembly Research paper in relation to financial forecasting.

*Agreed: The Committee agreed to write to the Department to welcome the accuracy in its financial forecasting.*

*Mr Weir re-joined the meeting at 12:42pm.*

6.11 The Committee considered a Departmental response in relation to planning enforcement cases.

*Agreed: The Committee agreed to write to the Department to ask how many of the delays have occurred as a result of staff absence due to leave, sickness, or having left and not been replaced.*

*Mr McElduff re-joined the meeting at 12:43pm.*

6.12 The Committee considered a Departmental response in relation to disused quarries.

*Agreed: The Committee agreed to write to the Department to request an update on the Minister's recent summit on this issue. Members also requested further information on the outcome of the District Councils' review into disused quarries.*

6.13 The Committee considered a Departmental response to issues raised by Windwatch on independent EIA assessments of wind farm developments.

*Agreed: The Committee agreed to forward the response to Windwatch for information.*

## **7. Consultation on Draft Guidance for Part A installations and Part A mobile plant in respect of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013**

The Committee returned to agenda item 5.

The Committee considered draft guidance setting out the views of the Department on how the Industrial Emissions Directive should be applied, which is currently open to public consultation.

*Agreed: The Committee was content to request a copy of the synopsis of responses.*

## **8. Synopsis of responses to pre-consultation on the need for a Climate Change Bill in Northern Ireland**

The Committee returned to agenda item 6

*Agreed: The Committee was content for the Department to proceed in making the policy.*

## **9. SL1 – Local Government (Severance Payments to Councillors) Regulations (Northern Ireland) 2013**

The Committee returned to agenda item 7.

*Mr Elliott left the meeting at 12.46 pm.*

The Committee considered an SL1 proposal for the Local Government (Severance Payments to Councillors) Regulations (Northern Ireland) 2013, together with a synopsis of responses to the consultation, Research papers on severance payments in other jurisdictions and a draft copy of the Rule to be laid.

*Agreed: The Committee agreed to write to the Department, in relation to local government legislation, to ascertain if there has been progress with the Secretary of State in resolving the potential anomaly of councillors unable to be co-opted from 1 January 2014.*

The Committee expressed its dissatisfaction with the late submission of this SL1 as it gave very little time for adequate scrutiny ahead of the Rule being laid in the summer recess.

*Agreed: The Committee agreed to write to the Department to highlight the number of documents presented for consideration at short notice, and urged the Department to institute more effective planning.*

During discussion of the SL1 the Chairperson indicated that her party did not support the proposed legislation and that she wished this to be recorded.

*Mr McElduff left the meeting at 12.55 pm.*

*Agreed: That the Committee is content for the Department to proceed to make the Statutory Rule.*

## **10. SR 2013/170 The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2013**

The Committee returned to agenda item 8.

The Committee considered SR 2013/170 The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2013.

*Question put and agreed: The Committee for the Environment has considered SR 2013/170 – The Motor Vehicles (Driving Licences) (Amendment) Regulations (NI) 2013 and has no objection to the Rule, subject to the next report from the Examiner of Statutory Rules.*

## **11. Correspondence**

The Committee considered further correspondence from the Concerned Ringhaddy Area Residents expressing disappointment with the Committee's previous responses.

*Agreed: The Committee agreed to write to the group reiterating its position that the Committee has no powers in relation to individual planning applications.*

The Committee considered an email from a member of the public regarding the future of DVLA services in Coleraine.

*Agreed: The Committee agreed to write to the Minister seeking an update on the situation, and asking how potential staffing issues will be addressed.*

The Committee considered a letter from the Department advising of the publication of the 2012/2013 Driver and Vehicle Agency Surveys of the compliance of Heavy Goods Vehicles, taxis and buses with roadworthiness.

*Agreed: The Committee agreed to request a briefing from the Department on this issue after recess. The Committee also agreed to forward the letter to the Committee for Education for their information.*

The Committee considered correspondence from the Finance and Personnel Committee regarding the implications for the Local Government Pension Scheme of the reform of Public Service Pensions.

*Agreed: The Committee agreed to write to the relevant stakeholders asking for comment on the Bill.*

The Committee noted the following correspondence:

Departmental update on the consultation on further European changes to Driving Licences and Driving Test Requirements – the Amending Directive (2012/36/EU).

Copy of the Department's 2013/14 Business Plan.

Copy of a letter sent directly to the Minister, from the Committee for Education, seeking information on the issuing of guidance on cabotage.

Copy of the June 2013 – Investment Strategy for Northern Ireland – DOE Investing Activity Report.

Departmental letter in relation to Advance Notification of Consultations and Policies screened out for EIA.

Copy of correspondence from the Committee for Social Development to the Department, in relation to the Licensing of Pavement of Cafés Bill.

**12. Consultation on the UK-Wide Draft REACH Enforcement (Amendment) Regulations (Northern Ireland) 2013**

The Committee noted the receipt of the consultation document.

**13. SL1 -The Planning (General Development) (Amendment No. 2) Order (Northern Ireland) 2013**

The Committee considered an SL1 proposal for the Planning (General Development) (Amendment No. 2) Order (Northern Ireland) 2013, together with a synopsis of responses to the consultation and a draft copy of the Rule to be laid.

*Agreed: That the Committee is content for the Department to proceed to make the Statutory Rule.*

#### **14. The Carrier Bags Bill**

The Committee noted a letter from the Department responding to issues raised during the Departmental briefing on 6 June 2013 and the subsequent second-stage debate in Plenary on 11 June 2013.

#### **15. Forward Work Programme**

Members noted a draft itinerary for the Committee visit to Rathlin Island on 30 August 2013 and indicated if they planned to attend.

#### **16. Any Other Business**

There was no other business.

#### **17. Date, time and place of next meeting**

The next meeting will be held on Thursday 12<sup>th</sup> September 2013 at 10:00am in the Senate Chamber, Parliament Buildings.

*The Chairperson adjourned the meeting at 13:01pm.*

**Anna Lo, MLA**  
**Chairperson, Committee for the Environment**  
**12<sup>th</sup> September 2013**