



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

MINUTES OF PROCEEDINGS

THURSDAY, 6 MARCH 2014

SENATE CHAMBER, PARLIAMENT BUILDINGS

Present: Ms Anna Lo MLA (Chairperson)
Mrs Pam Cameron MLA (Deputy Chairperson)
Mr Cathal Boylan MLA
Mr Colum Eastwood MLA
Mr Tom Elliott MLA
Mr Alban Maginness MLA
Mr Ian McCrea 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)
Ms Jennifer McCullough (Clerical Officer)

Apologies: No apologies were received

The meeting began in public session at 10:11.

1. Apologies

Apologies were indicated as above.

Mr McElduff joined the meeting at 10:12.

2. Chairperson's Business

The Committee considered correspondence from North West Taxi Proprietors regarding changes to rooftop signage for taxis.

Agreed: The Committee agreed to forward the correspondence to the Department for comment.

The Committee considered correspondence from Council for Nature Conservation and the Countryside regarding concerns over the siting of slurry stores.

Agreed: The Committee agreed to forward the correspondence to the Department and the Committee for Agriculture and Rural Development for comment.

Mr Eastwood left the meeting at 10:15.

3. Draft minutes

The minutes from the meeting held on 27th February 2014 were agreed.

Mr Milne joined the meeting at 10:16.

4. Matters arising

4.1 The Committee considered a letter from the Minister indicating that he did not intend to proceed with an amendment to the Local Government Bill to introduce a High Court appeal against a decision made by the Commissioner for Complaints.

The Committee also noted correspondence from NILGA on this issue.

Mr Elliott joined the meeting at 10:22.

Agreed: The Committee agreed to maintain its stated position on such an appeal mechanism and to bring forward an amendment at Consideration Stage. The amendment will add a further subsection to clauses 62 and 63 to specify the grounds for appeal to the High Court in addition to those grounds which already form the basis for judicial review. These should include leave to appeal against a decision which was not supported by the evidence and against an excessive sanction.

Mr Maginness concurred with the Minister's position, and requested that his dissent from the Committee decision to bring forward an amendment should be recorded.

Mr McElduff left the meeting at 10:29

4.2 The Committee noted a Departmental response providing clarification on Clause 10 and Schedule 3 of the Local Government Bill.

4.3 The Committee noted a Departmental update on the progress of the Marine Plan.

4.4 The Committee noted an invitation from the Department to attend a Marine Conservation Zone Stakeholder Workshop at the Lough Neagh Discovery Centre.

The Committee also considered the synopsis of responses to the Consultation on Draft Guidance on selection and designation of Marine Conservation Zones (MCZs) in the Northern Ireland inshore region.

Agreed: The Committee was content for the Chairperson to speak at the Workshop if she is available to attend. The Committee also agreed to request a briefing from Departmental officials on the synopsis of responses.

Lord Morrow joined the meeting at 10:36.

4.5 The Committee noted a Departmental reply regarding illegal dumping at Mobuoy Road.

4.6 The Committee considered a Departmental reply regarding the allocation of membership of committees in accordance with Schedule 4 of the Local Government Bill.

Mr McCrea left the meeting at 10:46.

Agreed: The Committee was not content with Schedule 4 as currently drafted and agreed to discuss the issue further with Departmental officials during their briefing session later in the meeting.

5. Consultation on Secondary Legislation for EC Regulation 181/2011 – Rights of Bus and Coach Passengers

The Committee considered a consultation on Secondary Legislation for EC Regulations 181/2011 – Rights of Bus and Coach Passengers.

Agreed: The Committee agreed to request a copy of the synopsis of responses.

Mr Weir left the meeting at 10:48

6. Consultation on draft Reach Enforcement (Amendment) Regulations 2014 (Dichloromethane Paint strippers) – synopsis of responses

The Committee noted the synopsis of responses to the consultation on Secondary legislation for EC Regulation 181/2011 – Rights of Bus and Coach Passengers.

7. Briefing by Pat Ramsey MLA on the Road Traffic (Speed Limits) Bill

Mr Pat Ramsey MLA briefed the Committee on the background to the proposed Road Traffic (Speed Limits) Bill.

Mr Weir re-joined the meeting at 10:55

Mr McCrea re-joined the meeting at 11:07.

The main areas discussed were the reasons for reducing limits in certain residential areas, the cost of implementing the change and the practicalities of enforcement measures.

Mr McElduff re-joined the meeting at 11:24.

Ms Cameron left the meeting at 11:28.

Lord Morrow left the meeting at 11:32.

Agreed: The Committee agreed that Mr Ramsey should provide further information on specific incidents where the reduction of the speed limit to 20mph would have made a significant difference in reducing serious injuries and fatalities.

8. Departmental briefing on its Consultation on the Code of Conduct – Local Government Bill

Julie Broadway (G7, Local Government Policy Division), Mylene Ferguson (Local Government Policy Division), Fiona McGrady (Local Government Policy Division), Cathy Pringle (Planning Policy Division) and John Murphy (Local Government Policy Division) briefed the Committee in relation to the consultation on the Code of Conduct for councillors, as set out by the Local Government Bill, and outstanding issues regarding Schedule 4 of the Bill.

The main areas discussed were the revision to include the promotion of Good Relations, capacity building, and the preparation of guidance to reflect best practice.

Agreed: The Committee requested that Departmental officials provide a separate briefing paper on capacity building and the training that will accompany the introduction of the code of conduct.

Mr McCrea left the meeting at 12:29.

The Committee also discussed further the Minister's decision not to include an appeal mechanism within the Bill and the outstanding issues regarding Schedule 4.

Agreed: The Committee agreed that Departmental officials should go back to the Minister to ask him to consider making provision for the separation of the investigative and adjudication functions of the Commissioner; and to consider the range of options to ensure that committee places are equitably allocated across all parties and independent councillors.

Agreed: The Committee agreed to bring forward an amendment to Schedule 4 to ensure that the formula for appointments to committee may be run for all committee positions at once, and for the duration of the council term, based on the number of seats for each party has immediately after the election.

9. Correspondence

The Committee considered correspondence from a member of the public regarding the Consultation on Dalraidan Gold Mine.

Agreed: The Committee agreed to forward the correspondence to the Department for comment.

The Committee considered correspondence from a member of DVA staff regarding the retention of services at Coleraine and throughout the province.

Agreed: The Committee agreed to forward the correspondence to the Department for comment.

The committee considered a copy of the NIIRTA Manifesto for the new Local Councils in Northern Ireland.

Agreed: The Committee agreed to advise NIIRTA that it did not require an oral briefing on the Manifesto.

Mr McCrea re-joined the meeting at 12:46.

The Committee noted the following correspondence:

A letter of support for Single Tier Taxi Legislation from the NI Hotel Federation

A copy of the revised draft Planning Policy Statement 15 'Planning and Flood Risk' from CNCC.

Correspondence from the Finance and Personnel Committee regarding the Financial Transactions Capital Paper.

Departmental letter regarding the taxi licence at Ravenhill.

10. Forward Work Programme

The Committee noted the forward work programme.

11. Any Other Business

The Committee discussed the implications of CAP reform on land use planning particularly for rural dwellings.

Agreed: The Committee agreed to write to the department to ask how new proposals under CAP Reform will impact on land use planning, particularly for rural dwellings. The Committee also agreed to write to the Department for Agriculture and Rural Development for further information on these proposals.

12. Date, time and place of next meeting

The Committee agreed that it was content to exchange rooms with the Committee for Culture Arts and Leisure for its next meeting on 13th March.

The next meeting will be held on 13th March 2014 at 10:00am in Room 21, Parliament Buildings.

The Chairperson adjourned the meeting at 12:50.

Pam Cameron, MLA

Deputy Chairperson, Committee for the Environment

13 March 2014