



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

DRAFT MINUTES OF PROCEEDINGS

THURSDAY, 11 SEPTEMBER 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 Ian McCrea MLA
Mr Barry McElduff MLA
Mr Alban Maginness MLA
Mr Ian Milne MLA
Lord Morrow MLA
Mrs Sandra Overend MLA
Mr Peter Weir MLA

In Attendance: Ms Sheila Mawhinney (Assembly Clerk)
Mr Mark McQuade (Assistant Assembly Clerk)
Mr Neil Sedgewick (Clerical Supervisor)
Ms Allison Ferguson (Clerical Officer)

Apologies: None

The meeting began in public session at 10:06.

1. Apologies

No apologies were received.

2. Chairperson's Business

The Chairperson welcomed Mrs Sandra Overend to the Committee.

Agreed: The Committee agreed to write to Mr Tom Elliot thanking him for his contribution to the work of the Committee.

Agreed: The Committee welcomed Mr Mark McQuade as its new Assistant Clerk and agreed to write to his predecessor, Mr Sean McCann, to thank him for his work for the Committee.

Mr Eastwood joined the meeting at 10.08.

The Chairperson referred members to an invitation to the Presidential Inauguration of the Chartered Institution of Wastes Management on 21 October 2014.

Agreed: The Committee agreed that the Chairperson and Deputy Chairperson would represent it at this event.

Mr McElduff joined the meeting at 10:09.

The Chairperson also referred members to an invitation from the Committee for Culture, Arts and Leisure to attend an event marking the 90th anniversary of the BBC in Northern Ireland

Agreed: The Committee agreed that the Chairperson and Deputy Chairperson would attend.

The Chairperson reminded members that they had previously agreed to go on a joint visit with the Committee for Culture, Arts and Leisure to view the Archaeological Archives in Swords on 2 October 2014.

Agreed: The Committee agreed to confirm their attendance with staff to enable appropriate arrangements to be made.

3. Minutes

The minutes from the meeting held on 3rd July 2014 were agreed.

4. Matters Arising

4.2. The Committee discussed correspondence from ReNew providing information on a proposed study visit to the Metabolon recycling site.

Agreed: The Committee agreed that staff would contact members to determine interest in attending the visit.

Mrs Overend left the meeting at 10.15.

4.3. The Committee noted correspondence from the Department regarding the effectiveness of an anti-speeding campaign.

Agreed: The Committee agreed that this issue should be added to the agenda for any forthcoming Ministerial briefings.

4.4. The Committee noted correspondence from the Department regarding Area of Special Scientific Interest (ASSI) designation procedures.

Agreed: The Committee agreed to accept the Department's offer to facilitate a visit to an ASSI.

Mrs Cameron left the meeting at 10.19.

4.5. The Committee noted correspondence from the Department regarding the Local Government Code of Conduct and details of training to be provided to new councillors.

Mrs Overend rejoined the meeting at 10.19.

4.6. The Committee noted correspondence from the Department regarding Department of Environment sickness absence rates.

Agreed: The Committee agreed to write to the Department for further information.

Mr Milne joined the meeting at 10.20

4.7 The Committee noted correspondence and follow-up information from the Chartered Institute of Environmental Health regarding wind energy.

Agreed: The Committee agreed to include this information in the Committee report on its Inquiry into Wind Energy.

4.8. The Committee noted a Departmental update on the Waste Prevention Programme for Northern Ireland.

Mrs Cameron rejoined the meeting at 10.21.

4.9. The Committee noted responses from Councils to its request for information on recycling rates.

Agreed: The Committee agreed to forward these responses to representatives of Zero Waste North West who had raised this matter with it.

5. Consultation on the Draft Local Government (Disqualification) (Prescribed Offices and Employments) Regulations (Northern Ireland) 2014

The Committee considered the public consultation on the Draft Local Government (Disqualification) (Prescribed Offices and Employments) Regulations (Northern Ireland) 2014.

Agreed: The Committee agreed to request a synopsis of responses from the Department once available. The Committee also agreed to ask the Department for a definition of some of the terms used in the consultation document.

6. Consultation on the Transposition of the amended Batteries Directive

The Committee considered the public consultation on the Transposition of the amended Batteries Directive.

Agreed: The Committee agreed to request a synopsis of responses from the Department once available.

7. Consultation on the Proposed Governance Arrangements for the Local Government Pension Scheme (Northern Ireland) and Draft Local Government Pension Scheme (Amendment) 2014 Regulations

The Committee considered the public consultation on the Proposed Governance Arrangements for the Local Government Pension Scheme (Northern Ireland) and Draft Local Government Pension Scheme (Amendment) 2014 Regulations.

Agreed: The Committee agreed to request a synopsis of responses from the Department once available.

8. Consultation on the Apportionment of Costs Associated with the Ethical Standards Framework between Councils

The Committee considered the public consultation on the Apportionment of Costs Associated with the Ethical Standards Framework between Councils.

Agreed: The Committee agreed to request a synopsis of responses from the Department once available.

Mr McElduff left the meeting at 10.30.

9. Synopsis of responses to Discussion Document on Environmental Legislation – Dilapidated and Dangerous Buildings and Neglected Sites

The Committee noted a synopsis of the response to a public consultation on “Environmental Legislation -Dilapidated/Dangerous Buildings and Neglected Sites”.

Agreed: The Committee agreed to request an oral briefing from the Department when its policy on this matter was decided.

10. Synopsis of responses to consultation on the Waste Management Licensing (Amendment No. 2) Regulations (Northern Ireland) 2014

The Committee considered a synopsis of responses to the consultation on the Waste Management Licensing (Amendment No. 2) Regulations (Northern Ireland) 2014.

Agreed: The Committee agreed that it was content for the Department to proceed to draft legislation on this matter.

Mr McElduff rejoined the meeting at 10.32.

11. SL1 - The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 2014.

Agreed: The Committee was content for Department to make the Rule.

Mr Boylan left the meeting at 10.33.

12. SR 2014/180 The Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/180 The Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/180 The Bus and Coach Passengers Rights and Obligations (Designation and Enforcement) Regulations (Northern Ireland) 2014, and, has no objection to the Rule.”

Mr Boylan rejoined the meeting at 10.35.

13. SR 2014/189 - The Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/189 - The Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/189 - The Local Government Pension Scheme (Amendment and Transitional Provisions) Regulations (Northern Ireland) 2014, has no objection to the Rule.”

14. SR 2014/190 The Planning (Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/190 The Planning (Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/190 The Planning (Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2014, and, has no objection to the Rule.”

15. SR 2014/202 The Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/202 The Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/202 The Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014, and has no objection to the Rule.”

16. SR 2014/206 The Road Passenger Transport (Qualifications of Operators) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/206 The Road Passenger Transport (Qualifications of Operators) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/206 The Road Passenger Transport (Qualifications of Operators) Regulations (Northern Ireland) 2014 and has no objection to the Rule.”

17. SR 2014/208 The Groundwater (Amendment) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/208 The Groundwater (Amendment) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/208 The Groundwater (Amendment) Regulations (Northern Ireland) 2014 and has no objection to the Rule.”

18. SR 2014/216 The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/216 The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/216 The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2014 has no objection to the Rule.”

19. The Road Traffic (Amendment) Bill - Briefing from TTC 2000

Ms Jenny Wynn, Chairperson, TTC Group, and Mr Eddie Phair, TTC 2000, briefed the Committee on the drink driving provisions of the Road Traffic (Amendment) Bill.

The main areas discussed were the current and proposed blood alcohol limits for driving.

Mr Milne left the meeting at 11.33

Mr Maginness left the meeting at 11.36.

Mr Boylan left the meeting at 11.36.

20. The Road Traffic (Amendment) Bill

The Committee considered a report by the Examiner of Statutory Rules on Delegated Powers contained in the Bill.

Agreed: The Committee agreed to note the report and the Department’s agreement to amendments suggested by the Examiner.

The Committee considered a briefing paper from the Assembly Research and Information Service on the Bill.

Agreed: The Committee agreed to include the briefing paper in its report on the Committee stage of the Bill.

The Committee considered written submissions received in response to its call for evidence on the Bill.

Agreed: the Committee agreed to invite the PSNI, Ulster Farmers Union, NIAPA, Right to Ride and the Driving Instructors’ Association to give oral evidence on the Bill.

Mr Milne rejoined the meeting at 11.43

Mrs Overend left the meeting at 11.45

21. Briefing from Department on HGV Road User Levy legislation

Mr Iain Greenway, Director of Road Safety and Vehicle Regulation, and Mr James Hutchinson, DVA, briefed the Committee on the following SL1s:

- The Road Traffic (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Order (Northern Ireland) 2014
- The Road Traffic (Financial Penalty Deposit) (Amendment) Order (Northern Ireland) 2014
- The Road Traffic (Fixed Penalty) (Amendment) Order (Northern Ireland) 2014
- The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (Northern Ireland) 2014
- The Road Traffic Offenders (Additional Offences) Order (Northern Ireland) 2014

Mr Maginness rejoined the meeting at 11.46.

Mr Boylan rejoined the meeting at 11.47.

Mrs Overend rejoined the meeting at 11.55.

The motion was put:

That the Committee was content for the Department to prepare the relevant Statutory Rules to enforce the Heavy Goods Vehicles Road User Levy.

The Committee divided: Ayes 8; Noes 3; Abstentions 0

Ayes:

Ms Anna Lo, Mrs Pam Cameron, Mr Colum Eastwood, Mr Ian McCrea, Mr Alban Maginness, Lord Morrow of Clogher Valley, Mrs Sandra Overend, Mr Peter Weir

Noes:

Mr Cathal Boylan, Mr Barry McElduff, Mr Ian Milne

Abstentions:

None

The motion was carried.

Agreed: The Committee agreed it was content for the Department to proceed to prepare legislation on the Heavy Goods Vehicles Road User Levy.

22. Committee Inquiry into Wind Energy – Briefing from Specialist advisor

Ms Ursula Walsh, the Committee's specialist advisor, spoke to her report on sound generated by wind turbines and other relevant issues.

Mr Weir left the meeting at 12.19.

Agreed: the Committee agreed to write to the Department to ask about the use of reconditioned turbines in Northern Ireland.

Mr Weir joined the meeting at 12.38.

23. Correspondence

23.2 The Committee considered a letter from Mr Wilson regarding a planning matter.

Agreed: the Committee agreed to write to Mr Wilson explaining that it could not become involved in individual planning decisions.

23.3 The Committee considered correspondence from the Committee for the Office of the First Minister and the Deputy First Minister regarding its Inquiry into Building a United Community.

Agreed: the Committee agreed not to make a submission to the Inquiry.

23.4 The Committee considered correspondence from the Committee for Finance & Personnel regarding Year End Surges in Northern Ireland Departmental Expenditure.

Agreed: the Committee agreed to return to this correspondence at its meeting on 25 September 2014 when Departmental officials will brief on budget issues.

23.5 The Committee noted correspondence from the Committee for Agriculture & Rural Development regarding the Lough Neagh Cross-departmental Working Group Report.

23.6 The Committee noted correspondence from the Minister advising that he will refer an application for an overhead line at Moy to the Planning Appeals Commission.

23.7 The Committee noted correspondence from the Department regarding proposed legislation on Driving Theory Test Fees.

Agreed: the Committee agreed it was content for the Department to prepare legislation on this matter.

23.8 The Committee considered correspondence from the Department regarding the impact of Local Government Reform on Waste Management Groups.

Agreed: The Committee agreed to invite officials to brief it on the impact of Local Government Reform on Waste Management Groups after the precise legislative provision is determined.

23.9 The Committee noted the 2014 Annual Progress Report of the UK Committee on Climate Change.

23.10 The Committee noted correspondence from the Department enclosing the Draft Local Government Employees and Councillors Protocol.

23.11 The Committee noted correspondence from the Minister refusing a proposal from Tamboran to drill at Cleggan quarry, Belcoo, under current permitted development rights.

23.12 The Committee noted correspondence from the Committee for Enterprise, Trade & Investment enclosing the Minister's response on the status of oil and gas Exploration in Northern Ireland.

23.13 The Committee noted the Departmental publication - Reform Inform

23.14 The Committee noted correspondence from Strategic Planning regarding its Inquiry into Wind Energy.

Agreed: The Committee agreed to include the correspondence in the Committee report on its Inquiry into Wind Energy.

23.15 The Committee noted correspondence from the Minister indicating his intention to refuse a planning application for a retirement village in Co. Armagh.

23.16 The Committee noted the Annual Report and Accounts 2013-2014 from the Northern Ireland Environment Agency

23.17 The Committee noted the Driver and Vehicle Agency Annual Report and Accounts for the year ended 31 March 2014.

12.18 The Committee noted the Department of Environment Investment Strategy NI Report.

23.19 The Committee considered correspondence from the Department regarding a proposal to remove the requirement to show test discs on vehicles.

Agreed: the Committee agreed that the Department should prepare appropriate subordinate legislation to deliver this.

23.20 The Committee noted the Northern Ireland Environment Link August E-bulletin.

23.21 The Committee noted an update from the Department under the planning agreement on George Best Belfast City Airport.

23.22 The Committee considered correspondence from the Department outlining the Carrier Bag Levy Phase 2 Communication Plan.

Agreed: the Committee agreed that it was content with the Plan.

23.23 The Committee noted correspondence from Quinns Coach Hire seeking a meeting in relation to the Driver Vehicle Enforcement Policy.

Agreed: the Committee agreed that staff would contact Quinns Coach Hire for further information before arranging a meeting.

23.24 The Committee noted correspondence from the Department regarding the Belfast Metropolitan Area Plan.

23.25 The Committee considered a call for evidence from the House of Lords EU Agriculture, Fisheries, Environment and Energy Sub-Committee to its Inquiry on EU Marine Cooperation.

Agreed: the Committee agreed to write to the Department to ask if it planned to respond to the Inquiry, and to request a copy of any response.

23.26 The Committee noted information from the Department that will form part of the UK Government's response to the 6th Annual Progress Report from the Committee for Climate Change.

23.27 The Committee noted correspondence from Northern Ireland Environment Link announcing the launch of the NGO Challenge Fund.

23.28 The Committee noted an invitation from Collaboration NI to an event in the Long Gallery on 23 September 2014.

23.29 The Committee noted an invitation to a Chairs' Forum breakfast briefing on 17 September 2014.

23.30 The Committee noted an invitation from Northern Ireland Environment Link to a stakeholder event on a Sustainable Water strategy on 25 September 2014.

23.31 The Committee noted an invitation from Mervyn Storey to a Safe Transport Awareness event to be held in the Long Gallery on 23 September 2014.

Mr Colum Eastwood left the meeting at 12.43.

24. Forward Work Programme

The Committee noted the Forward Work Programme.

The Committee discussed arrangements for a training session on financial scrutiny organised for Thursday 25th September 2014.

25. Any Other Business

The Committee discussed the progress of subordinate legislation relating to the Local Government Act 2014.

Agreed: The Committee agreed to request an updated timetable from the Department.

26. Date, Time and Place of next meeting

The Committee will hold a planning meeting on Thursday 18th September 2014 at 10:00 in the Lough Neagh Discovery Centre, Oxford Island.

The next meeting will be held Thursday 25th September 2014 in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 12:45.

Anna Lo, MLA
Chairperson, Committee for the Environment
25 September 2014