



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

DRAFT MINUTES OF PROCEEDINGS

THURSDAY, 3 JULY 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 Barry McElduff MLA
Mr Alban Maginness MLA
Mr Ian Milne MLA
Lord Morrow MLA
Mr Peter Weir MLA
- In Attendance: Ms Sheila Mawhinney (Assembly Clerk)
Mr Neil Sedgewick (Assistant Assembly Clerk)
Mr George McClelland (Clerical Supervisor)
Ms Allison Ferguson (Clerical Officer)
Ms Suzie Cave (Research Officer – item 1 only)
- Apologies: Mr Ian McCrea MLA

The meeting began in closed session at 10:10.

1. Committee Inquiry into Wind Energy - Selection of Specialist Acoustician

The Committee considered a draft briefing paper setting out possible issues for consideration by a specialist acoustician, together with information about candidates identified by Assembly Research and Information Service.

Ms Cameron joined the meeting at 10.15.

Mr Boylan joined the meeting at 10.20.

Agreed: The Committee agreed that it was content with the job specification as set out in the briefing paper. The Committee further agreed that the decision on which candidate should be appointed should be delegated initially to the Chairperson and Deputy Chairperson, and that this decision should then be circulated to the members before the appointment is confirmed.

The meeting moved into public session at 10:24

The Chairperson wished to put on record the Committee's thanks to Mr Tom Elliot MLA for his contribution to the work of the Environment Committee, and wished him well as he moves on.

2. Apologies

Apologies were as indicated as above.

Mr Maginness left the meeting at 10.25.

Mr Boylan left the meeting at 10.25.

3. Chairperson's Business

The Chairperson advised Members that the Chairpersons' Liaison Group had agreed a new approach on increasing the availability of published information on the Assembly website.

Agreed: The Committee agreed to adopt the new approach agreed by the Group.

Mr. Boylan rejoined the meeting at 10:30.

The Chairperson referred members to an invitation that had been received from the WRAP project to visit waste recycling sites in Germany and Belgium.

Agreed: The Committee agreed to obtain more substantive information about the invitation before agreeing a decision.

The Chairperson updated members on an informal meeting with Zero Waste North West and passed on that organisation's request that the Committee should write to each local council to ask for details on recycling.

Agreed: The Committee agreed to write to local councils to obtain further information.

The Chairperson advised Members that the Love Food Hate Waste campaign organisers have requested the Committee to sponsor an event in the Long Gallery on Monday 8th September to promote European Waste Reduction Week Belfast.

Agreed: The Committee agreed to sponsor this event.

The Chairperson tabled information from SSE Renewables that was distributed to residents who lived near the proposed site of the Bessy Bell 2 wind farm outside Omagh.

Agreed: The Committee noted the correspondence.

The Chairperson advised members of an invitation she had received from the Northern Ireland Youth Forum to an event in Fermanagh on 23rd July 2014, focusing on issues surrounding the environment; the Committee was advised that the Chairperson was unable to attend.

Agreed: The Committee agreed to contact Mr Elliot to ascertain if he could attend the event.

4. Draft Minutes

The minutes from the meeting held on 19th June 2014 were agreed.

5. Matters Arising

5.1 The Committee noted correspondence from Mr. Peter Keenan relating to stop and enforcement notices issued to him by the Department and also a copy of the previous response from the Department on the issue.

5.2 The Committee noted correspondence from the Department relating to funding provided for the protection and enhancement of Areas of Outstanding Natural Beauty; the correspondence contains corrected figures from the original correspondence.

5.3 The Committee considered a Departmental response relating to planning issues arising from the Dalradian site and the number of planning applications received relating to gold mining.

Agreed: The Committee agreed to consider further the wider issues related to mining applications at its planning day.

5.4 The Committee considered a Departmental response relating to issues raised by Belfast Public Hire Taxi Drivers.

Agreed: The Committee agreed to forward the response to Belfast Public Hire Taxi Drivers.

5.5 The Committee considered a Departmental response relating to the Code of Conduct for Councillors.

Agreed: The Committee agreed to write to the Department to seek clarification of its definition of 'lobbying'. The Committee also agreed to request information regarding any training being given to councillors on this aspect of the code of conduct.

5.6 The Committee considered a Departmental response relating to the enforcement of the HGV Road User Levy.

Agreed: The Committee agreed to note this response, pending the receipt of further information on the number of Irish registered vehicles which have paid the levy to the UK Department for Transport.

Mr. Eastwood left the meeting at 10:50.

5.7 The Committee considered a Departmental response on issues raised during a briefing on the Road Traffic (Amendment) Bill.

Agreed: The Committee agreed to note the response pending the planned briefing from TTC2000 in September, and to request a Departmental briefing on the effectiveness of the current road safety television advertisements. The Committee

also agreed to ask if the Department still provides funding for the Roadsafte Roadshows.

The Committee further requested that the Minister includes an update on road safety issues in his next briefing to the Committee.

5.8 The Committee considered a Departmental response relating to DVA job losses and the impact of the centralisation of vehicle licensing.

Agreed: The Committee agreed to request that the Department keep the Committee updated on these issues.

Mr Weir left the meeting at 11:09.

5.9 The Committee considered a Departmental response relating to the River Faughan and Mobuoy Road sites.

Agreed: The Committee noted this response, and agreed to request that the Department keeps the Committee updated on both any potential prosecutions and the environmental situation.

5.10 The Committee noted a Departmental update on the Environmental Crime Team, following the Minister's briefing on 19th June 2014.

5.11 The Committee noted an email from Mr. and Mrs. McGlinchey raising issues of planning irregularities in their area.

Agreed: The Committee agreed to raise these issues with Departmental planning officials at their briefing later in the meeting.

6. Consultation on the Draft Planning Policy Statement 22 - Affordable Housing

The Committee considered the public consultation on the Draft Planning Policy Statement 22 - Affordable Housing.

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

7. Consultation on Planning Reform and Transfer to Local Government

The Committee considered the public consultation on Planning Reform and Transfer to Local Government.

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

Mr. Eastwood rejoined the meeting at 11:14.

Mr. Weir rejoined the meeting at 11:14.

8. Consultation on the Environmental Liability (Prevention and Remediation) (Amendment) Regulations (Northern Ireland) 2015

The Committee considered the consultation on the Environmental Liability (Prevention and Remediation) (Amendment) Regulations (Northern Ireland) 2015.

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

9. Consultation on the Waste Management Licensing (Amendment No. X) Regulations (Northern Ireland) 2014

The Committee considered the consultation on the Waste Management Licensing (Amendment No. X) Regulations (Northern Ireland) 2014.

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

10. Consultation on the draft Water Framework Directive (Priority Substances and Classification) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered the consultation on the draft Water Framework Directive (Priority Substances and Classification) (Amendment) Regulations (Northern Ireland) 2014

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

11. Consultation on the Marine Strategy Framework Directive Marine Monitoring Programmes – Synopsis of Responses

The Committee considered the synopsis of responses to the consultation on the Marine Strategy Framework Directive (MSFD) Marine Monitoring Programmes.

Agreed: The Committee was content to note the draft synopsis and to request a copy of the MSFD Marine Monitoring Programmes when finalised; the Committee also agreed to request details of the NI Marine monitoring factsheets when these are published in the autumn.

12. Consultation on Taxi Accessibility Regulations – Synopsis of Responses

The Committee considered the synopsis of responses to the consultation on Taxi Accessibility Regulations.

Agreed: The Committee was content to note the synopsis and to await the final policy position from the Minister.

13. Consultation on the Draft Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014

The Committee considered the synopsis of responses to the consultation on the Draft Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014.

Agreed: The Committee was content for the Department to proceed with the Regulations.

The Committee agreed to move to agenda item 24.

14. 'Reducing the Environmental Impact of the Retail Industry' – Briefing by Northern Ireland Retail Consortium

Aodhán Connolly, Director, and Alice Ellison, Policy Advisor, briefed the Committee on the British Retail Consortium report, 'A Better Retailing Climate: Driving Resource Efficiency'. The Committee noted that members of the Consortium have agreed to work towards specific targets relating to the reduction of water use and food waste (both retail and household) to be achieved by 2020.

Lord Morrow left the meeting at 11:44.

15. SL1 – The Groundwater (Amendment) Regulations (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Groundwater (Amendment) Regulations (Northern Ireland) 2014.

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

Mr. Eastwood left the meeting at 11:46.

16. SL1 - The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2014.

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

17. SL1 - The Road Traffic (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Road Traffic (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Regulations (Northern Ireland) 2014.

Agreed: The Committee deferred consideration of the SL1 and requested that the Department brief Members on it after the summer recess.

18. SL1 – The Road Traffic (Fixed Penalty) (Amendment) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Road Traffic (Fixed Penalty) (Amendment) Regulations (Northern Ireland) 2014.

Agreed: The Committee deferred consideration of the SL1 and requested that the Department brief Members on it after the summer recess.

19. SL1 - The Road Traffic Offenders (Additional Offences) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Road Traffic Offenders (Additional Offences) Order (Northern Ireland) 2014.

Agreed: The Committee deferred consideration of the SL1 and requested that the Department brief Members on it after the summer recess.

The Committee agreed to move to agenda item 30.

20. SL1 - The Road Traffic (Financial Penalty Deposit) (Amendment) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Road Traffic (Financial Penalty Deposit) (Amendment) Order (Northern Ireland) 2014.

Agreed: The Committee deferred consideration of the SL1 and requested that the Department brief Members on it after the summer recess.

The Committee agreed to move to agenda item 31.

21. SL1 - The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (Northern Ireland) 2014.

Agreed: The Committee deferred consideration of the SL1 and requested that the Department brief Members on it after the summer recess.

The Committee agreed to move to agenda item 32.

22. SL1 - The Motor Vehicles (Construction and Use) (Amendment No.2) Regulations (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Motor Vehicles (Construction and Use) (Amendment No.2) Regulations (Northern Ireland) 2014.

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

Mr Milne left the meeting at 11:53.

23. SL1 - The Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014

The Committee considered an SL1 proposal for the Local Government (Indemnities for Members and Officers) (Amendment) Order (Northern Ireland) 2014.

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

24. Statutory Rule SR 2014/166; The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/166 The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/166, The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2014, and, subject to the Examiner’s report, has no objection to the Rule.”

25. Statutory Rule SR 2014/188; The Local Government Pension Scheme Regulations (Northern Ireland) 2014

The Committee considered the Statutory Rule SR 2014/188 The Local Government Pension Scheme Regulations (Northern Ireland) 2014.

Question put and agreed:

“The Committee for the Environment has considered SR 2014/188, The Local Government Pension Scheme Regulations (Northern Ireland) 2014, and, subject to the Examiner’s report, has no objection to the Rule.”

Mr Milne rejoined the meeting at 11:57.

26. Committee Inquiry into Wind energy: Briefing from DoE Planning Division

Simon Kirk, Acting Director, Deirdre McSorley, Area Manager, and Joy Hargie, Planning Policy Division, briefed the Committee on its Inquiry into Wind Energy.

The main areas discussed were the context and application process for both single turbines and wind farm developments under Policy Planning Statement 18 and also the transitional planning arrangements until 2015 when the Strategic Planning Policy Statement for Northern Ireland comes into force.

27. Designation of ASSIs – briefing from NIEA

Terry A'Hearn, Chief Executive Officer, Helen Anderson, Director Natural Heritage, Diane Stevenson, Planning and Natural Resources Division, and Mark Wright and Ian Enlander, Senior Scientific Officers, briefed the Committee on the designation of ASSIs.

The main areas discussed were the statutory basis for ASSI declarations, the ASSI declaration process and the implementation of the ASSI.

Agreed: The Committee agreed that NIEA officials should forward a copy of the detailed report prepared on the relevant environmental features of the sites in the Mourne area on which the ASSI designations are based. The Committee also agreed that NIEA officials should arrange a meeting with the Mourne AONB Residents Action Group before the end of the consultation period.

Mrs. Cameron left the meeting at 13:14.

28. Committee Inquiry into Wind Energy – Community Benefits

The Committee noted a research paper from the Assembly's Research service on wind farm co-operatives; and a further paper on wind farm co-operatives and community benefits from Julianne Cox, a QUB Masters student; who spent some time assisting the Committee with its inquiry.

Agreed: The Committee agreed to include the papers in the final inquiry report.

29. Correspondence

The Committee considered correspondence from NIRIG requesting a meeting with to discuss the organisation's perspectives on the current policy changes impacting upon the renewable sector

Agreed: The Committee agreed to schedule a briefing after the summer recess from NIRIG; and also, to request a further briefing from WindwatchNI.

The Committee considered correspondence from New Century, forwarded by the Committee for Enterprise, Trade and Investment, regarding the restriction of coal sales to households.

Agreed: The Committee noted the correspondence and agreed to have an informal meeting with New Century.

The Committee considered correspondence from Mr Kenneth Wilson relating to alleged failures of the Planning Service.

Agreed: The Committee noted the correspondence, pending receipt of further information.

The Committee considered correspondence from Mike Hill relating to information on High Volume Hydraulic Fracking.

Agreed: The Committee noted the correspondence and agreed to reconsider the matter after the summer recess.

The Committee considered minutes relating to the Cross Departmental Working Group on Climate Change meetings in October 2013 and January 2014.

Agreed: The Committee noted these minutes, and agreed to request a copy of the minutes for the most recent meeting in May 2014, once they have been agreed.

The Committee noted the following correspondence:

The latest edition of 'First Flight Wind Newsletter' from First Flight Wind.

Departmental correspondence relating to the George Best Belfast City Airport planning agreement.

The June e-Bulletin from Northern Ireland Environmental Link.

Correspondence from the Committee for Enterprise, Trade and Investment advising how information received by the Department from the European Liaison Officers can best be passed to the Committee.

Departmental correspondence relating to NIEA's intention to publish on its website the 2013 compliance data for water utility discharges from Northern Ireland Water Limited and those private companies that operate water and wastewater treatment works under Public Private Partnership Contracts.

Correspondence from Investment Strategy for Northern Ireland relating to a summary of progress on the delivery of the Department's capital projects.

Annual Report and Accounts for 2013/14 from the UK Committee on Climate Change.

Correspondence from the Minister for the Environment advising of his intention to make a written statement to the Assembly regarding the Northern Area Plan.

30. Forward Work Programme

The Committee noted the Forward Work Programme.

31. Any Other Business

No other business was discussed.

32. Date, time and place of next meeting

The next meeting will be held on 11th September 2014 at 10:00 in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 13:22.

Anna Lo, MLA

Chairperson, Committee for the Environment

11 September 2014