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*Please Note: The Northern Ireland Assembly is now in Recess. The next Plenary Sitting will take place on Monday 11 January 2016*

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## Executive Committee Business

### Water and Sewerage Services Bill: Consideration Stage (8 December)

[Full Debate](#)

Members debated the Water and Sewerage Services Bill and a number of proposed amendments. The Committee for Regional Development had agreed to support the Water and Sewerage Services Bill, subject to the adoption of 6 out of 7 proposed amendments. Amendment Nos 1 to 5 help clarify certain aspects of the Bill but do not result in a material change to the policies agreed by the Executive prior to its introduction. Amendment Nos 1 to 4, which are to clause 3, involved a technical change to the power to repeal and, subsequently, to re-enact the requirement to install water meters for domestic connections. Amendment No 5 to clause 3 is to include district councils as statutory consultees on any subordinate legislation made under the clause. In relation to clause 3, current legislation requires NI Water to install meters at all properties, whether domestic or non-domestic, that are connecting to the public water supply system for the first time. Meters have been installed at new domestic dwellings since 2007. However, they are not being read and are not being used for charging purposes. This is a result of the Executive's decision not to introduce household charges during the current Assembly mandate. It costs about £45 to install each meter. During the period December 2014 to June 2015, 2,300 meters were supplied and installed at newly connected domestic properties, with an approximate cost of £103,500 for that six-month period. With the number of new houses built each year being in the region of 3,000 to 4,000, the additional cost imposed by the legislation is approximately £135,000 to £180,000 per year. The Minister's predecessor expressed concern at that situation, particularly given the pressures on public funding, and, in November 2014, asked for the requirement to install meters at domestic properties to be removed. At its meeting on 15 January 2015, the Executive agreed the final policy proposals in respect of a new water Bill, including the power to make subordinate legislation to cease the obligation to install water meters at all new domestic connections. Should a future Assembly change its view on water charging, the subordinate legislation required to reverse the requirement to install water meters can be made fairly quickly. Amendment No 6 to clause 5 will add a specific reference to soft sustainable drainage systems, commonly known as soft SuDS. These are the use of landscaping, green areas or other natural features that can be designed into a new development to provide drainage. They will be added to the Bill and provide a fuller explanation of what is meant by the term "sustainable drainage systems". DRD officials plan to consult widely on the most suitable arrangements for approval and management of soft SuDS in NI. The Bill completed its consideration Stage with all amendments proposed by the Minister receiving support.

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## Ministerial Statements

### British-Irish Council: Summit (1 December)

[Full Statement](#)

The First Minister provided a statement on the twenty-fifth summit meeting of the British-Irish Council (BIC), which took place on 27 November 2015 and also was attended by the deputy First Minister and the Minister of the Environment. During the meeting the UK Government, on behalf of the BIC environment work sector, presented a collaborative paper on natural capital and resources. The paper explored the challenge of safeguarding natural capital, with a particular focus on pollinators, and discussed the value of a strategic and collaborative approach. Minister Durkan responded to the paper on behalf of Northern Ireland.

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### North/South Ministerial Council: Aquaculture and Marine (7 December)

[Full Statement](#)

The Minister of Agriculture and Rural Development provided a statement in compliance on the twenty-eighth meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format, held on 11 November. Ministers received: presentations on Atlantic salmon research in West Greenland. The significance being that salmon stock from Ireland can migrate to West Greenland; a progress report on the work of the Loughs Agency including data on the number of seizures of nets, fishing rods, oyster bags, boats etc. and the number of successful prosecutions for a range of offences, such as unlicensed angling; killing salmon on the River Finn, obstruction of

fishery officers, though organised salmon poaching involving a large number of individuals remains a challenge. The NSMC noted the position of the survival of the native Lough Foyle flat oyster.

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## Answers to Written Questions

### First Minister and deputy First Minister

#### Civic Society Engagement (4 December)

[AQW 51084/11-16](#)

The First Minister and deputy First Minister provided an update on plans to establish a new model for engaging with civic society; including progress on a civic advisory panel as proposed in the Stormont House Agreement. The Stormont House Agreement recognised that it is important that civic voices are heard and civic views are considered in relation to key social, cultural and economic issues. A new engagement model was envisaged, based on the establishment of a compact civic advisory panel. The next steps for the establishment of the panel were set out in the Stormont Agreement and Implementation Plan of 17 November 2015. A panel of six people will be established by the Executive. It will be tasked by the Executive to consider specific strategic issues relevant to the PfG and report to the Executive. It may also propose subjects that it wishes to consider and seek Executive agreement to do so. The panel will seek the views of a wide range of representatives and stakeholders from civic society. Panel members, including the Chair will be identified and appointed by OFMDFM. Agreed terms of reference for the panel were set out at Appendix F7 of the Stormont Agreement and Implementation Plan.

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### Minister of Agriculture and Rural Development

#### Test and Vaccinate or Remove Study (1 December)

[AQW 51303/11-16](#)

The Minister provided an update on the findings of the Test and Vaccinate or Remove (TVR) study into TB in badgers. As the TVR Wildlife Intervention Research project is a 5 year study, she could not commit to releasing interim findings or test results, as this could lead to premature and potentially inaccurate speculation about TVR and its effects. However, a final report on TVR will be prepared after TVR field activities are fully completed (late 2018) and when the accumulated data has been analysed and interpreted. It is anticipated that the final report on the TVR Research Project could be available by late 2019. The Year 1 TVR report shows that 280 unique badgers were trapped that year. Year 2 field activities were concluded on 23 October 2015 with the capture of 341 unique badgers. An end of year report will be published in early 2016 to give an overview of Year 2 TVR activities.

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### Minister of the Environment

#### Update on ASSIs (3 December)

[AQO 9260/11-16](#)

To date, the NIEA has declared a total of 385 Areas of Special Scientific Interest. This includes the 10 new ASSIs designated in 2014/15 and confirmed this year, which included a range of biological and earth science sites. DoE is committed to completing its network of designated sites on the basis of available scientific evidence, as outlined in the recently published Biodiversity Strategy. The current focus of the designation programme for 2015/16 is the completion of the suite of Marine Special Protected Areas under the Birds Directive. DoE officials are also considering a small number of potential sites for designation as ASSIs in the New Year, should the evidence meet the standards required by the Environment Order.

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#### Plans for a Climate Change Bill (7 December)

[AQW 51245/11-16](#)

Following his mandate in support of a Climate Change Bill for Northern Ireland during the Assembly debate on 30 November the Minister a discussion document to stakeholders seeking their views on a range of proposals that I would like to see included in a future Northern Ireland climate change Bill. These include ensuring that we contribute to the reduction of greenhouse gas emissions by the

setting of a long-term target; providing powers to set interim targets that would assist in evaluating progress being made towards the long-term target while ensuring that we remain competitive in a global economic market; and providing powers to establish an independent climate change advisory body. In parallel with this exercise, at his request, the Committee on Climate Change is working on an update of its 2011 report 'The Appropriateness of a Northern Ireland Climate Change Act'. That update is expected to be published next month. The Minister believes that the outcome of the negotiations in Paris and his discussion document on proposals for taking forward our own climate change legislation and the update from the Committee on Climate Change on the appropriateness of legislation will ensure that we are well placed to make a climate change Bill central to the work programme of the new Department of Agriculture, Environment and Rural Affairs. He also undertook to endeavour to ensure that the passage of this 'vital legislation' is central to the next PfG.

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### **Fly Tipping Prosecutions (7 December)**

[AQW 50598/11-16](#)

The Minister outlined legislative powers available to deal with fly tipping. However, while NIEA has investigated and cleaned up 118 incidents in the past 12 months, unfortunately there has been insufficient evidence to prepare any prosecution action. However NIEA have initiated new processes for issuing fixed penalty notices for fly tipping offences with two fixed penalty notices issued in the past months.

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### **Future Role of the CNCC (9 December)**

[AQW 50944/11-16](#)

The Minister was asked whether (i) the Council for Nature Conservation and Countryside as a statutory advisory expert body has the opportunity to develop its role further to encompass the need for independent oversight of departmental performance and prioritisation of activities which arise due to the lack of an independent Environmental Protection Agency; and (ii) whether there is a greater need for the role of CNCC to be enhanced given the potential for conflict between the remits of environmental protection and support for the farming industry. The Minister replied that he was due to meet the Chair and representatives of the CNCC to discuss their role in light of the new DAERA being created. A part of the meeting with CNCC will cover the potential opportunities identified in a 'mapping' exercise undertaken by DoE to consider potential issues, and proposed management strategies, to minimise the impact of Departmental restructuring on the work of CNCC. However, any proposal to expand the role of CNCC to encompass 'oversight' responsibilities, would be a major policy change and would also require changes in primary legislation. Given the significant policy and legislative implications and the timeframe which this would take, it is considered that any such proposals should be a matter for DAERA.

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### **Lack of Prosecution for Pollution Incidents (9 December)**

[AQW 51488/11-16](#)

The Minister provided detailed reasons as to why of the 3746 substantiated pollution incidents reported to the NIEA only 93 incidents resulted in successful prosecutions. Under NIEA's Enforcement Policy, appropriate enforcement action is pursued where a water pollution incident is of medium or high severity. For low severity incidents, by definition minor incidents with minimal environmental impact, enforcement action such as prosecution is rarely appropriate. Of the above 3746 incidents, 3078 were classified as low severity. For the remaining 668 medium/ high severity incidents, the range of enforcement options available to NIEA includes not only prosecution but also formal warning letters, enforcement notices and cost recovery. Farm businesses may also be subject to a deduction from their Single Farm Payment monies.

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## **Minister for Regional Development**

### **Contaminated Land and Proposed A6 Development (2 December)**

[AQW 51020/11-16](#)

Approximately 24 hectares of the Mobuoy Road land is impacted by the proposed A6 works. However, having examined existing ground investigation records relating to the contaminated lands, consultants experienced in the remediation of contaminated land have advised that the

contaminated material can be left in-situ subject to the installation of appropriately engineered measures to contain the illegal waste.

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### **Timescale for the BRT System (8 December)**

[AQW 51396/11-16](#)

The Belfast Rapid Transit (BRT) system is scheduled to become operational in September 2018. Implementation works on the BRT system began in May 2014 and a new 520 space Park & Ride site is now in service in Dundonald and works have been completed on the routes at Ballyhackamore in East Belfast and on the Falls Road, between Grosvenor Road and Whiterock Road, in West Belfast. Works are underway on the Upper Newtownards Road between Holywood Arches and Sandown Road, and on the Falls Road and Divis Street, between Millfield and Grosvenor Road. Work on the remaining sections of the BRT routes will be scheduled over the next few years to ensure that the infrastructure is in place to meet the September 2018 operational date. In advance of BRT becoming operational, the new infrastructure will help to provide a more reliable public transport service which will benefit the large numbers of passengers currently using the routes.

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## **Oral Answers to Questions**

### **Minister of the Environment**

#### **Fracking: County Fermanagh (1 December)**

[AQO 9249/11-16](#)

The Minister was asked how he will ensure that the strategic planning policy statement (SPPS) will prevent fracking in County Fermanagh. He replied that the SPPS states: "in relation to unconventional hydrocarbon extraction there should be a presumption against their exploitation until there is sufficient and robust evidence on all environmental impacts." The SPPS must be taken into account by councils in the preparation of their new local development plans, and it is also material to all decisions on individual planning applications and appeals by the relevant planning authority. At independent examination, local development plans will be scrutinised to ensure that they take sufficient account of the SPPS and other central government plans, policy and guidance. DoE can, if necessary, direct a council either to modify or to withdraw a plan document if it does not take sufficient account of regional planning policy. In addition, as part of the transfer of the majority of planning powers from DoE to councils, a hierarchy of development for local, major and regionally significant developments was introduced. Should an application be considered to be a regionally significant development proposal, it will be dealt with by DoE as the planning authority but under the same planning policy framework. The Minister concluded by assuring members that approval for the SPPS, which includes a presumption against fracking, was received from the Executive.

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#### **Flooding: Emergency Financial Assistance (1 December)**

Topical Question 3, [AQT 3233/11-16](#)

The Minister has made emergency funds available to cover council costs incurred when responding to the needs of householders across Northern Ireland in the event of any flooding following rainfall or tidal surge from 7 November 2015 until 31 January 2016. The scheme of emergency financial assistance to district councils also includes an immediate payment of £1,000 to householders as practical assistance to those who have suffered severe inconvenience to help to make homes habitable as quickly as possible. He added that he plans to improve the scheme and has recently provided an Executive paper, 'Flooding: Standing Scheme of Emergency Financial Assistance to Councils', to his Executive colleagues for their consideration and comments. The paper seeks agreement to create a standing scheme of emergency financial assistance to councils in relation to flooding incidents following heavy rainfall or tidal surge, rather than creating individual, time-bound schemes that require individual approval. His aim for the introduction of a standing scheme is to improve reaction time and to avoid the possibility of delay while approvals are sought. Also included is an additional proposal to extend the original scheme to allow for severe inconvenience payments to recreational and community buildings, churches and small businesses.

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## Minister of Finance and Personnel

### Rates Levy: Vacant Premises (7 December)

[AQO 9275/11-16](#)

The Minister revealed that additional revenue of up to £30 million to £35 million could be raised through the introduction of the rating of empty commercial premises at 100%, including empty factories. Those figures assume that other features of non-domestic vacant rating remain intact, such as the minimum valuation cap of £2,000 and the three-month initial exemption to allow owners to let a property once it becomes vacant. She stated that she had said "up to" because the introduction of such a measure could have unintended effects here, given the proportion of vacant properties compared with other parts of the UK and the relative weakness of the property market here. Those effects could include many property owners taking steps to avoid liability through rendering their property incapable of being let or by encouraging charities to take up occupation. DFP is consulting on those matters, among others, as part of the review of the non-domestic rating system.

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