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Executive Committee Business

Supply Resolution for the Northern Ireland Main Estimates 2014-15 (9 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/09-June-2014/#4>

The Chair of the Environment Committee, Anna Lo outlined the Environment Committee's views on the Supply resolution for the Main Estimates 2014-15. In a recent briefing to the Committee, DoE officials referred to the additional amount of £12.75 million that has been ring-fenced by the Executive to enable the DoE to meet the costs of local government reform. The Committee believes that it is essential that such a major change in the way in which this country is governed should be fully and properly resourced so that not only are the staff who join the administration of the new super-councils provided with appropriate training but there is a high level of capacity building to enable the new councils to fulfil their duties to the highest standards. Officials also advised the Committee that further additional funding would be sought for the coastal communities fund. Members welcomed any measures that aim to support the economic development of coastal communities by promoting sustainable economic growth and jobs so that people are better able to respond to the changing economic needs and opportunities of their area. The main area of concern for the Committee in considering departmental resources is the adequate funding of environmental protection and enforcement measures. When considering the extremely high cost of attempting to rectify incidents of pollution of all kinds, from the illegal dumping of tyres to the contamination of our rivers and waterways, the Committee see that money spent on the prevention and detection of environmental crime as money well spent. For that reason, the Committee also supported the DoE's June monitoring bid for increased funding to retain the 10 temporary investigators working with the NIEA to respond to organised environmental crime.

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Ministerial Statements

North/South Ministerial Council: Environment (17 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/17-June-2014/#4>

At the meeting of the NSMC in environment sectoral format, held on 8 May 2014, Ministers: noted that the contract for the all-island air quality research study into airborne pollution from the combustion of residential solid fuels has been awarded and is expected to be completed by August 2014; welcomed the consideration by the North/South market development steering group of a new programme related to the circular economy which aims to keep the added value in products for as long as possible and to cut residual waste to close to zero; noted that the NI carrier bag levy, currently applied to single-use bags, will be extended to low-cost reusable bags from January 2015; discussed proposals for a new used tyre scheme in Ireland and the exploration of the potential for a complementary scheme in NI; noted that the proposed programme of work for 2014-15 is in the process of being reviewed and agreed; welcomed the intention of beginning shortly the waste repatriation and reaffirmed their commitment to continue to target resources on joint enforcement action against illegal operators. Coordination is continuing between both jurisdictions in relation to preparations for the second-cycle river basin management plans under the EU water framework directive; welcomed the publication in NI of the consultation on significant water management issues; welcomed the provision of funding by both jurisdictions for the cross-border pilot project for the management of invasive flora and fauna on the River Blackwater in NI and continued cooperation on beach awards and beach care schemes; noted that tenders for the EPA's research project into the environmental impacts of unconventional gas exploration and extraction are being evaluated and publication of NIEA's second state of the environment report in December 2013; welcomed the publication of the EPA's 'Who's Who' of environmental research expertise in Ireland, which will assist collaboration by environmental researchers from the island of Ireland in Europe-wide research projects; and noted that consequent to the enactment of the Industrial Development Act 2013, Science Foundation Ireland may now fund environmental research on an all-island basis.

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Answers to Written Questions

Minister of Agriculture and Rural Development

Sustainable Use of Poultry Litter (6 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140606.pdf> Page: WA 347

The Minister provided an update on work around the sustainable use of poultry litter. The first stage of the joint DARD and DETI project for the Sustainable Use of Poultry Litter was a Small Business Research Initiative (SBRI) competition. The SBRI funded proof of concept /feasibility stage work and has encouraged the technical development of solutions to utilise poultry litter. The next stage prior to the full commercial roll out of the technologies is the demonstration of consistent operation of poultry litter processing facilities at full, or near to full, scale. Building on the progress from the SBRI competition, a project team comprising the Strategic Investment Board, DARD, DETI and InvestNI officials has developed a support package. This support aims to fast track the development of demonstrator plants to prove commercial and technical viability of solutions as soon as practicable. However, a number of other factors, which involve the technology providers and the poultry sector, will impact on the timing of when these demonstrator plants will be become operational. These include the time required to obtain the relevant regulatory consents, agree contracts for the supply of poultry litter and build the plants. Qualifying technologies producing energy from the treatment process may also attract subsidies from the various Renewable Energy support schemes including NIROCs Scheme. To secure funding under the NIROCs Scheme, processing plants would need to be operational and accredited under the Scheme by end March 2017.

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Illegally Dumped Livestock Carcasses (13 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140613.pdf> Page: WA 5

Disposal of animal carcasses is required under Regulation EC 1069/2009 Articles 13 & 21 and subsequently the Animal By-Products (Enforcement) Regulations (NI) 2001. DARD is the Competent Authority for the implementation of these regulations. The responsibility for the disposal of fallen animals lies with the occupier of the premises or the person considered by DARD to be in charge of the premises. Where a carcass is dumped on private land, wherever possible the owner of the animal will be identified and held responsible. If ownership cannot be proven, responsibility for disposal rests with the landowner. Where a carcass is dumped elsewhere, including on public land or highways, and ownership of the carcass cannot be ascertained, responsibility for disposal rests with the local authority. DARD, through the local Divisional Veterinary Office, can assist the district council wherever possible to try and establish ownership of the carcass on a case by case basis, but no financial assistance is offered.

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Windfarm Development Project (13 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140613.pdf> Page: WA 8

The Minister provided an update on the Windfarm Development Project. Previously the Strategic Investment Board (SIB) supported Forest Service to examine opportunities for obtaining better value for money from the forest estate. As part of a 2009 “Market Sounding” exercise carried out by Forest Service it asked industry for “innovative and optimal suggestions on how to best sweat the existing asset base assisting in delivering value for money to NIFS”. This exercise helped identify and prioritise the opportunities to be considered in a Commercialisation Plan and this work was taken forward in a Strategic Outline Case (SOC) in June 2010. A conceptual Outline Business Case (OBC) followed. This document remains in draft format. In January 2014 Forest Service appointed a Wind Energy Development Manager (seconded from SIB). He is presently revising and taking forward this previous work. This involves a range of multi-disciplinary issues from looking at how best to address community benefits and engagement to technical site assessments and financial analysis. As this analysis is ongoing the Minister is not in a position to say which sites, if any, DARD propose to take forward. In the 2014-15 Forest Service Business Plan DARD has said it will publish a procurement strategy for the exploitation of opportunities for wind farm development on the Forest Service estate. At that point there will be more clarity around the nature of Forest Service involvement in wind energy.

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Ownership and Control of Lough Neagh (13 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140613.pdf> Page: WA 9

The Minister revealed that the Report of the Cross Departmental Working Group on Lough Neagh was published on 5 June 2014 and can be viewed [here](#) on the DARD web site at:

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Minister of Culture, Arts and Leisure

Cathaleen's Fall Dam: Elver Kill (13 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140613.pdf> Page: WA 9

The Minister stated that during an inspection by Electricity Supply Board (ESB) staff of eel collection boxes at the Cathaleen's Falls facility at Ballyshannon on 22nd April 2014, approximately 100kgs of dead elvers were discovered. When DCAL officials were made aware of this matter, they immediately contacted Inland Fisheries Ireland (IFI) and investigations are ongoing into how the incident occurred. DCAL is working closely with the AFBI, IFI and ESB, to formalise protocols to ensure that this situation does not arise in future. The Minister added that she was most concerned at this incident and has written to Mr Fergus O'Dowd TD, Minister of State at the Department of Energy, Communications and Natural Resources, to express my concerns and for the appropriate action to be taken against ESB.

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Minister of Enterprise, Trade and Investment

Current Moratorium on Lignite Extraction in North Antrim (6 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140606.pdf> Page: WA 369

The Minister was asked for an update on the current moratorium on lignite extraction in North Antrim. She replied that the Planning Appeals Commission's (PAC) Independent Examination of Development Plans was expected to report to the Department of the Environment at end of May 2014 on the Commission's findings in relation to the draft Northern Area Plan 2016. When the outcome of the PAC Report is known, DETI intends to issue a paper for public consultation on a revised policy on lignite and a proposal to extend the moratorium on licensing for lignite prospecting and extraction. The public consultation will remain open for a period of 12 weeks.

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Communities and Renewable Energy (20 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140620.pdf> Page: WA 123

Following the report Communities and Renewable Energy: A Study, and the Department of Energy and Climate Change Community Energy Strategy, the Minister was asked for an update and timeline on her Department's plans to formulate and consult on a draft action plan to support communities and renewable energy. Since publication of the report earlier this year, DETI officials have met with DECC and the Scottish Government in relation to their Community Energy plans and strategies. This engagement has been useful in identifying how some of the key issues, such as the development of a Community Benefits Register and best practice guidelines, have been taken forward in GB. Community energy is a cross departmental matter and discussions are underway with relevant departments to develop a draft action plan for NI. Following engagement with community and industry stakeholders, it is envisaged that a draft action plan will issue for consultation in early 2015.

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Minister of the Environment

Grants for the Restoration of Listed Buildings (6 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140606.pdf> Page: WA 372

The Minister was asked whether grants for the restoration of listed buildings awarded by the NIEA have been put on hold; and if so, for how long. Additional funding was made available through the Executive's 2012 Economy and Jobs Initiative. In November 2012, NIEA received an extra £2.4M from this 'Initiative' (for its Listed Buildings Grant-aid scheme), to be expended up until the end of financial year 2014/15. This funding was provided for a specific short-term period as part of an Executive package to stimulate economic activity during the recession. This funding enabled NIEA to raise the cap to £500K per scheme - as well as raising the rate of grant aid from 35% to 45% (an actual increase of 28%) - with immediate effect. Overall, the NIEA listed buildings grant aid continues

to provide significant investment in the construction industry, with a proven ratio of 1:7.65 of leverage funding (every £1 of NIEA grant aid results in an overall spend of £7.65). Over the last six years the Department's c£24M investment has resulted in a total spend of c£183M in this sector. This increase in the Listed Buildings Grant Aid rate and cap has proved to be so successful that the additional funding is now fully committed. Prior to December 2012, applications were received at a rate of 14 per month. Since then, the average has been 19 new applications monthly, with the near doubling of the average grant-aid award to approximately £60K. As such there is a substantial amount of applications to be processed to letter of offer stage; officials have advised that these will be processed in the usual orderly manner, with letters of offer being issued, as funding becomes available. A bid for additional funding in the June Monitoring round has also been prepared.

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Challenge Fund (6 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140606.pdf> Page: WA 387

The Minister was asked what steps are being taken to ensure that groups, which have no professional funding support, can access the Challenge Fund. He replied that this year's Challenge Fund successfully delivered over 250 community-based environmental projects, achieving a remarkably even spread across the country, mirroring the contributions made to the Carrier Bag Levy, ensuring that all communities have been reached by the Fund. The applicants, communities, schools and environmental groups, were considered at every stage, very much centring the Challenge Fund on the people involved, ensuring that local groups were readily able to access the funding. NIEL, who administered the fund, used their extensive membership list to generate widespread interest. This in combination with regional media coverage meant publication of the Challenge Fund program was far reaching, and received 377 applications, with funding four times oversubscribed. The application process was streamlined, with simplified forms, guidance provided, and face to face information sessions. The judging panel also considered applications on the quality of project, rather than the written quality of application. This ensured that those more practiced at funding applications held no advantage over those without bid-writing experience. Additional feedback was available upon request. This ranged from judge's comments to an individual session with Challenge Fund team members. Many groups took advantage of these sessions this year, and will be returning with stronger bids in the future. To ensure that groups with limited means were enabled to apply, no match funding was required. Grants accounted for 100% of many project budgets. For groups with restricted resources, a partial claims mechanism was available, allowing payment for completed work at specific project stages; helping small groups with limited resources deliver projects.

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Delays in Providing Planning Approval for New Poultry Sheds (13 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140613.pdf> Page: WA 30

Last year, the Minister created a dedicated planning team to deal specifically with applications for poultry houses in order to support and facilitate developments in the agri-food industry. The aim of this team is to reduce processing times for poultry house planning applications. The team, whilst dealing specifically with applications for Moy Park poultry houses across Northern Ireland, also provides advice and support to Area Offices dealing with other poultry house applications. In processing applications for poultry houses, expert advice from consultees, including NIEA, must be sought to enable full consideration of any potential environmental impacts. This consultation process can result in requests for additional information which can prolong the application process and can lead to frustration. The Minister added that whilst he supports a planning system that engages proactively in delivering timely planning decisions, he must also ensure that this is not at the expense of our environment.

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Minister of Finance and Personnel

Energy Efficiency (13 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140613.pdf> Page: WA 33

The Minister provided his assessment of the success of programmes to improve the energy efficiency of public in relation to Northern Ireland Civil Service (NICS) Office Estate for which my Department has responsibility. Energy consumption of this Estate equates to 4% of the total Northern Ireland public sector consumption. Energy efficiency programmes for all other public

buildings are the responsibility of the Department which manages those buildings. A three year Energy Efficiency Plan for 2011-14 for the Office Estate has been completed and an updated Plan covering 2014-17 will be published shortly. Both Plans identify three primary mechanisms by which energy consumption can be reduced: reduction in the footprint of the Office Estate; capital investments in energy efficiency measures and equipment; and behavioural change of staff occupying the Estate. Steps taken so far to improve energy efficiency include: the implementation of recommendations from comprehensive energy surveys; the implementation of Display Energy Certificate (DECs) recommendations; voltage optimisation pilot projects; and providing premises officers with limited access to Building Energy Management System (BEMS). Energy consumption data has shown that in first year of the 2011-14 Office Estate Energy Efficiency Plan, a 3.5% reduction in energy consumption was achieved and assessment of the following two years indicates that the Department is on track to meet the combined 2011–14 plan target of 10% energy reduction (approximately 9,500 megawatts hours (Mwh)).

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Minister for Regional Development

Quantity of Drinking Water (6 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140606.pdf> Page: WA 407

The Minister revealed that on a daily basis Northern Ireland Water (NIW) abstracts and treats approximately 570 million litres of water and distributes on average 562 million litres of drinking water. The total length of water mains owned and maintained by NIW is 26,976 kilometres. During 2013 NIW carried out 386,477 tests to monitor the quality of drinking water. These included tests carried out for regulatory purposes under the Drinking Water Regulations and operational monitoring tests.

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Water Bill (20 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2014/140620.pdf> Page: WA 190

The Minister outlined the main components of the proposed Water Bill. The consultation on the proposed Water Bill includes a proposal to extend DRD's power to pay subsidy to NI Water on behalf of domestic customers to 2017 to cover the extension of the current assembly mandate. The consultation also includes proposals to provide powers to direct the Utility Regulator to abide by Social and Environmental policies issued by DRD and to consolidate requirements on NI Water to produce separate Water Resource Management and Drought Plans.

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Oral Answers to Questions

Minister of Agriculture and Rural Development

Fisheries Task Force (17 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/17-June-2014/#9>

Topical Question 4

The Minister provided an update on the fisheries task force. The Minister announced in February 2014 that she was planning to appoint a fisheries industry task force to undertake a fundamental examination of the challenges and opportunities facing the industry and to identify options for reform to help to ensure the future sustainability of the local fishing sector. At the same time she also announced the provision of further financial assistance to the sector. Since then DARD's priority was to develop and deliver the assistance scheme whilst seeking to establish the task force. The inaugural meeting of the fishing task force will take place on Friday 4 July. At this first meeting, she wants the task force to consider all the options and issues that it may want to scope further and for members to sit down and look at whether they are content with the membership as she wants to make sure that grass-roots fishermen feel that they are part of the discussions. The Minister believes that through the task force, the industry can work with DARD to decide what it wants to prioritise.

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Fracking: DARD Involvement (17 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/17-June-2014/#9>

Question 2

The Minister reiterated what role her Department will play in any future consideration of any decision for a planning application for fracking or hydraulic fracturing. Having previously stated that she will not allow fracking to happen on DARD land or Forest Service land, this view still remains the case. While any decisions taken in regard to hydraulic fracking will have to go to the Executive, given their cross-cutting nature, the Minister stated that she is still absolutely convinced that, 'were we to allow fracking on our land, we would damage the clean, green image that we have across the island of Ireland, which serves us well.'

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Rural Development Programme: Match Funding (17 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/17-June-2014/#9>

Question 5

In relation to match funding for the next rural development programme, the Minister stated that she hopes to bring an Executive paper in the next few weeks that will address the outstanding issues and reiterated her wish for fairness and balance adding that 'I also want to see farmers, the environment and the rural communities supported. I can give her an assurance that, no matter what my budget is, that will be the approach that I take'. However the Minister admitted that currently she does not have enough funding for the programme and that while we know our European allocation, they are working their way through what DARD's contribution will be and what they can get from the Executive through the Going for Growth strategy, which will help to shore up the rural development programme.

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Minister of Enterprise, Trade and Investment

Electricity: Local Generation (16 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/16-June-2014/#9>

Topical Question 2

The Minister was asked what contingencies are in place to deal with the reduction in local power station electricity generation required by the EU emissions trading system. She replied that the EU emissions trading system is not expected to result in power generation reductions in Northern Ireland. DETI officials have been working with the Utility Regulator and the electrical System Operator for Northern Ireland (SONI) to ensure that there is sufficient generation capacity after 2015, when there will be impacts from the EU industrial emissions directive. SONI recently took forward a competition for additional generation, which is to be available from 2016. The competition result is expected in early autumn 2014, thus allowing sufficient time for the additional capacity to be provided. Mutual Energy is continuing to work towards providing interim and permanent repairs to restore the Moyle interconnector to full transfer capacity. The EU industrial emissions directive will have an impact, and he mentioned Ballylumford B power station. There is an understanding that generation surplus in Northern Ireland will drop from 600 megawatts to 200 megawatts in 2016. Even though it will do that, the adequacy standard will still be met. That is why, in agreement with the Utility Regulator, SONI has sought interest from the market for the provision of 220 megawatts to 300 megawatts of additional generation adequacy. That would increase our generation margin to around 450 megawatts from 2016. With the restoration of the Moyle interconnector to full capacity that would bring the margin to around 650 megawatts, which is higher than it currently is.

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Minister of the Environment

Councillors: Capacity Building (3 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/03-June-2014/#6>

Topical Question 1

The Minister stated that ensuring that all members of the new shadow councils are trained to deliver existing and, importantly, new responsibilities, is critical to the success of the local government reform programme. He therefore has put in place a range of capacity-building measures and granted funding at a local and regional level to enable councillors, council officers and other staff to meet the challenges of reform. One of the organisations tasked to deliver some of the

training — the local government training group — has presented DoE with a comprehensive capacity-delivery plan which will include training in the new code of conduct for councillors. Future plans to be delivered via the training group include training in corporate responsibilities and governance, equality, finance and audit accountability, decision-making and council representation. The training will be rolled out comprehensively during the shadow period, with a flexible and modular approach designed to fit with the many demands that councillors are likely to face. With planning responsibilities moving to councils, DOE planning has developed a comprehensive training programme that it will deliver on a subregional basis from September onwards. Capacity building and training will be undertaken through role-play scenarios and formal training sessions. Full details of the training programme will issue to councils shortly. As well as an allocation of over £500,000 to the local government training group to deliver regionally based capacity-building programmes, new councils have an allocation of £100,000 each, or £200,000 in the case of Belfast. That is for the current financial year. They can use that to develop additional programmes and activities for councillors and staff that are relevant to each area.

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Beaches: Quality (3 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/03-June-2014/#6>

Topical Question 3

The Minister outlined the action he is taking to improve the quality of local beaches. Regarding amenity, statutory responsibility for improving the quality of local beaches lies with beach operators, who, for the most part, are the relevant local authorities in the area in which the beach is located. For his part the Minister chairs the good beach summit, which brings together beach operators and other organisations with an interest in healthy beaches from both an amenity and water quality perspective. This group is implementing an action plan covering water quality, beach cleanliness, facilities management and signage, public information and supporting the coastal economy. DoE also published the Northern Ireland marine litter strategy in July 2013 and is coordinating its implementation. The strategy makes provision for concerted action against those who continue to drop litter through education, awareness-raising and volunteering programmes along with promoting a strong system of enforcement. DoE is also working with Northern Ireland Water to improve sewerage infrastructure across the whole of the NI coastline. An estimated £12 million has been allocated for the period 2013-15 to address bathing water. In fact, 2013 was the best year ever for bathing water quality in NI. All beaches passed the mandatory standard, and, what is more, 20 of the 23 beaches had water quality classified as excellent.

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Minister for Regional Development

Water Treatment: Electricity Costs (16 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/16-June-2014/#8>

Question 5

The Minister stated that electricity costs Northern Ireland Water (NIW) some £34 million a year – a figure he believes will only increase in future years unless we actively explore ways to reduce the quantity of water entering the system and sources of renewable energy. He added that we need to promote sustainable drainage solutions not only in new developments but, wherever possible, in retrofitting existing areas to make better use of these practical solutions. During his recent cycling study visit to Copenhagen, he met a Danish water provider and visited some of its forward-thinking SuDS projects. In some cases, those projects have not only reduced the burden on water treatment but have, as he indicated, reduced flood risk, so we have much to learn and to apply ourselves to.

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Northern Ireland Assembly Commission

Parliament Buildings: Carbon Footprint (10 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/10-June-2014/#5>

Question 7

On behalf of the Assembly Commission, Leslie Cree outlined the current carbon footprint of Parliament Buildings and the measures in place to reduce it. He stated that the sustainable development office works closely with DFP's energy management unit to ensure that appropriate

measures are in place to reduce our energy costs and carbon footprint wherever possible. The current display energy certificate gives the Building a D rating — which equates to around 155 tons of carbon a year. That is a creditable achievement for a building of its nature and age. In the past, the Commission has worked with the Carbon Trust, which made a number of recommendations, the majority of which have now been implemented. The roof refurbishment project, which is under way, will incorporate a range of measures that will positively impact on the Building's energy performance. They include replacement of the existing insulation, refurbishing or replacing the existing roof-mounted mechanical and electrical service plant and the addition of renewable technologies, including solar thermal panels and photovoltaic panels.

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Office of the First Minister and deputy First Minister

A5: Executive Commitment (23 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/23-June-2014/#6>

Question 7

The Ministers were asked for an assurance of the Executive's ongoing commitment to the A5 dual carriageway project. The First Minister stated that while there have been several setbacks, *'the first of which was when the Government of the Republic of Ireland decided that, because of their economic difficulties, they could not keep the commitment that they had given and, instead, reduced that commitment. We went forward with the reduced commitment, but the courts knocked us back on the basis that some environmental work was required. None of that reduces our commitment to the scheme'. Obviously, we await from the Minister for Regional Development information that leads us to expect another application. I hope that it will be submitted in a form that can withstand any challenge in the courts. The next small task will be for the Finance Ministers to find us the appropriate amount to carry out the scheme'*.

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