

Northern Ireland Assembly News – June 2015

Executive Committee Business

- [Marine Conservation \(Fixed Monetary Penalties\) Order \(NI\) 2015](#)
- [Planning \(Amount of Fixed Penalty\) Regulations \(NI\) 2015](#)
- [Supply Resolution for the 2013-14 Excess Votes and Supply Resolution for the NI Main Estimates 2015-16](#)
- [Environmental Better Regulation Bill: First Stage](#)
- [Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2015](#)
- [Water and Sewerage Services Bill: Second Stage](#)
- [Environmental Better Regulation Bill: Second Stage](#)

Ministerial Statements

- [North/South Ministerial Council: Environment](#)
- [North/South Ministerial Council: Aquaculture and Marine](#)

Answers to Written Questions

- [Minister of Agriculture and Rural Development](#)
 - [Financial Support for Homeowner Flood Protection Grant Scheme](#)
 - [Timescale for the various Going for Growth Actions](#)
- [Minister of Enterprise, Trade and Investment](#)
 - [Discussion around closure of Renewables Obligation](#)
- [Minister of the Environment](#)
 - [Job Losses - Lough Neagh](#)
 - [Lough Neagh – Infraction Correspondence](#)
 - [Fixed Penalty Notices for Littering](#)
 - [NIEA Farm Inspections](#)
- [Minister of Finance and Personnel](#)
 - [Rates Demands on Renewable Energy](#)
- [Minister for Regional Development](#)
 - [Bicycles on Trains](#)

Oral Answers to Questions

- [Minister of the Environment](#)
 - [Environment Crime Unit](#)
 - [Recycling: Household Figures](#)
 - [Local Development Plans – Community Consultation](#)
 - [Environmental NGOs: Funding](#)
- [Minister of Finance and Personnel](#)
 - [EU: Impact of British Exit](#)
- [Minister for Regional Development](#)
 - [NI Water: Environmental Obligations](#)
- [Office of the First Minister and deputy First Minister](#)
 - [Sustainable Development Strategy](#)

Executive Committee Business

Marine Conservation (Fixed Monetary Penalties) Order (NI) 2015 (15 June)

[Full Debate](#)

The Environment Minister sought and gained approval: That the draft Marine Conservation (Fixed Monetary Penalties) Order (Northern Ireland) 2015 be approved. As it stands, DoE has two options when there is a contravention of nature conservation by-laws: it can either take no enforcement action, or it can initiate criminal proceedings. There is nothing in between those two positions. This order would improve that situation by providing a 'more targeted and proportionate response'. It would introduce a fixed monetary penalty that could be issued when a low-level offence was committed, but it would not warrant the full weight of the criminal law. He added that this would provide for *a more effective system of protection and management of Northern Ireland's marine area*. The order would give DoE the power to issue individuals with a fixed monetary penalty of £100, or £200 in the case of commercial enterprises. In each case, a 50% discount for prompt payment of the penalty and a 50% surcharge for late payment have been included. Members will also wish to note that any moneys received would be paid into the Northern Ireland Consolidated Fund and that DoE would be able to recover any unpaid penalties as a civil debt. Anyone subject to a fixed monetary penalty would be entitled to make written representations to DoE, and, should it still decide to apply the penalty, an appeal could be made to the Water Appeals Commission, which is an independent body. The commission would then have the power to confirm, vary or quash the enforcement decision.

[Top](#)

Planning (Amount of Fixed Penalty) Regulations (NI) 2015 (15 June)

[Full Debate](#)

The Environment Minister sought and gained approval: That the draft Planning (Amount of Fixed Penalty) Regulations (NI) 2015 be approved. The 2011 Act allowed for the issuing of an enforcement notice or breach of condition notice by a council in its role as local planning authority responsible for enforcing against all breaches of planning control under the new two-tier planning system. If the offender fails to comply with such a notice, the further enforcement options open to a council would be to initiate court proceedings or to take direct action to remedy the breach of planning control. The system of fixed penalty notices introduced by the 2011 Act is an additional enforcement measure and an alternative, at the discretion of a council, to potentially lengthy and costly court proceedings. Where a council might decide to issue a fixed penalty notice, it would give the offender the opportunity to pay a penalty as an alternative to prosecution. These regulations will assist councils and strengthen their planning enforcement function. The key purpose of the regulations is to set out the level of the relevant fixed penalty. They propose a penalty of £2,000 for failing to comply with an enforcement notice and £300 for failing to comply with a breach of condition notice. Sections 153 and 154 of the 2011 Act provide for a 25% reduction of the amount payable where a fixed penalty is paid within 14 days. The proposed amounts were part of the phase 2 consultation on planning reform and transfer to local government proposals for subordinate legislation. For more significant breaches of planning control councils may still decide that prosecution through the courts would remain a more appropriate course of action.

[Top](#)

Supply Resolution for the 2013-14 Excess Votes and Supply Resolution for the NI Main Estimates 2015-16 (15 June)

[Full Debate](#)

The Chair of the Committee for the Environment outlined the Committee's views on the Supply resolution Main Estimates 2015-16. The Committee is aware that DOE has been the hardest-hit Department, with a headline reduction of 10.7%. Members challenged the Minister on his allocation to necessary expenditure. The Committee acknowledged that DOE is obliged to pay the derating grant to councils. Having received an additional £2 million in the draft Budget and £1.9 million in the final Budget to restore that grant to its opening baseline position, there remains a £1.3 million shortfall, which DOE is bidding for in the June monitoring round. The Chair highlighted the difficulties within the NGO sector, many of whom now face an uncertain future due to the budget reductions and acknowledged that while the Minister has, 'late in the process', engaged with those organisations and has created a new natural environment fund of £1.25 million, replacing the well-established natural heritage grant programme to alleviate some of the pressure, *'it does not go*

nearly far enough, and concerns remain for the longer-term stability of the sector'. She added that an unrealistic budget for environment programmes will ultimately have implications on the protection of the environment, the retention of skills, and the sector's ability to leverage other funding. It might lead to EU infringement fines and a loss of valuable research into our biodiversity and historic environment. The Committee is aware that the DOE has bid for an additional £2 million for environmental programmes in June monitoring and that that is one of their priority bids. With such a large proportion of DOE's budget relating to salaries, the Committee has pressed DOE at every opportunity to determine exact savings should money become available for voluntary exit. DOE has a target to reduce its staff by around 400 posts, which will go some way to addressing its other pressures. The Committee is keen that DOE act strategically to reallocate savings to priority areas if and when that money becomes available.

[Top](#)

Environmental Better Regulation Bill: First Stage (22 June)

[Full Debate](#)

The Minister of the Environment introduced the Environmental Better Regulation Bill which is to enable provision to be made for protecting and improving the environment; to provide for an integrated environmental permitting system; to provide for a review of powers of entry and associated powers and for the repeal or rewriting of such powers and for safeguards in relation to them; to provide for the repeal or rewriting of offences connected with the exercise of any such powers and for the preparation of a code of practice in connection with such exercise; to amend the Clean Air (NI) Order 1981 to provide for a new method for authorising fuels for use in a smoke control area and for exempting fireplaces from the provisions of Article 17 of that Order; to amend the Environment (NI) Order 2002 to remove the requirement on district councils to make an assessment of air quality under Article 13 of that Order; to amend the Water and Sewerage Services (NI) Order 2006 to transfer certain functions to the DOE from DRD. The Bill passed First Stage.

[Top](#)

Renewables Obligation (Amendment) Order (Northern Ireland) 2015 (29 June)

[Full Debate](#)

The ETI Minister sought and gained approval: *That the draft Renewables Obligation (Amendment) Order (NI) 2015 be approved.* The Northern Ireland renewables obligation (NIRO) has been the main support mechanism for incentivising renewable electricity generation in Northern Ireland since 2005. Since its introduction renewable consumption has increased from 3% to 20%, and so has been deemed a great success. This amendment is the latest in a line of changes in recent years to adapt the NIRO to local, national and European developments. The underlying principle of the NIRO is to support deployment of renewables at least cost to the consumer, as it is the consumer who ultimately bears the cost of incentivising renewable electricity in NI. Therefore, support needs to be reviewed periodically to ensure that it is as cost-effective as it possibly can be. There is a statutory requirement for DETI to carry out a review of renewable obligation certificate bands before new bands are set and the last small-scale banding review and public consultation occurred in 2014. The consultation proposed the retention of the existing levels of support for small-scale onshore wind, hydro and anaerobic digestion (AD) generating stations but proposed the reduction in support for solar photovoltaic (PV) stations up to 250 kW installed capacity. The majority of respondents agreed with the retention of existing ROC levels of support for onshore wind, hydro and AD. However, a large proportion disagreed with the proposed reductions for solar PV. It was argued that the proposals were too severe and could halt future levels of solar deployment in NI. The consultation process provided additional evidence to support a higher ROC level for solar PV from that originally proposed and also to introduce the reductions in a stepped manner rather than in one single reduction. That will ensure the continued deployment under the NIRO at support levels, which will decrease in line with technology cost reductions. From 1 October 2015, the ROC banding level will reduce from four ROCs to three ROCs per MW hour, and will reduce again on 1 October 2016 to two ROCs per MW hour until the NIRO closes in 2017. The changes will apply only to new generating stations. Any generating station already accredited under the NIRO will continue to receive the ROC banding level at which it was originally accredited.

[Top](#)

Water and Sewerage Services Bill: Second Stage (29 June)

[Full Debate](#)

The Regional Development Minister sought and gained approval: *That the Second Stage of the Water and Sewerage Services Bill be agreed.* The Executive approved proposals for the Water and Sewerage Services Bill on 15 January 2015. The Bill deals with six main areas, covering the subsidy payment, governance and environmental measures. It also includes a number of practical powers to make subordinate legislation. The legislation also ensures the Executive's commitment not to introduce household water and sewerage charges within this Assembly mandate. The Bill:

- includes a power to make further extensions to the payment of the subsidy power;
- introduces powers to streamline the process for NI Water in relation to drought plans and water resources management plans;
- will remove much of the administrative burden and reduce costs;
- includes a power to make regulations to amend the existing legal requirement on NI Water to install water meters at domestic properties that are connecting for the first time to the public water supply;
- addresses concerns around un-adopted roads and private sewerage systems;
- promotes sustainability, reducing surface water connections to the public sewer network and encouraging developers to manage it in other sustainable ways.

[Top](#)

Environmental Better Regulation Bill: Second Stage (30 June)

[Full Debate](#)

During the debate on the Second Stage of the Bill, the Minister provided detailed information on the content of the Bill (see Environmental Better Regulation Bill: First Stage (22 June). Part 1 of the Bill relates to the introduction of environmental permitting powers. Officials advised the Committee that the current regulatory regime contained elements of duplication, making it confusing for industry and regulators, and that the purpose of Part 1 is to rationalise the permitting regime to simplify and reduce administrative costs while continuing to achieve intended outcomes. Part 2 of the Bill requires a review of powers of entry and associated powers to be completed by the Department. Officials advised the Committee that the purpose of the review is to provide an opportunity for a thorough and full analysis of all environmental powers of entry and associated powers. Powers of entry are significant powers and a valuable tool for environmental regulators in enforcement. There are also human rights implications associated with powers of entry. Parts 3, 4 and 5 contain miscellaneous amendments to the Clean Air (NI) Order 1981, the Environment (NI) Order 2002 and the Water and Sewerage Services (NI) Order 2006. During her comments the Chair of the Environment Committee informed members that they have already initiated a call for evidence as it wished to notify as many stakeholders as possible of the Bill in advance of the summer holidays. The Committee sought assurances that the Bill will not give out a message to businesses that standards will be lowered as a result of simplifying and streamlining environmental regulation.

[Top](#)

Ministerial Statements

North/South Ministerial Council: Environment (2 June)

[Full Statement](#)

The Environment Minister updated members on the nineteenth meeting of the North/South Ministerial Council in environment sectoral format, on 13 May.

Ministers agreed that collaboration on the drawdown of EU funding for environmental projects and research will continue to be a high priority. Ministers noted: the establishment across both jurisdictions of a collaborative evidence programme known as ShARE, enabling stakeholders to deliver evidence to underpin their activities as regulators to derive maximum benefit from the funding and resources invested; that the all-island research project into the environmental impacts of unconventional gas exploration and extraction is ongoing; that a joint €72 million INTERREG VA programme has been adopted by the EU Commission covering the terrestrial, freshwater and marine environments; that the EU Commission announced the opening of the LIFE 2015 programme on 1 June 2015 and, in preparation for its launch, potential applicants to the programme from both jurisdictions attended the LIFE application training course; that the official launch of the Northern Ireland Horizon 2020 strategy took place on 31 March 2015 at the Commission's offices in Belfast; that the carrier bag levy, introduced on new single-use carrier bags by the DoE on 8 April 2013, was

extended on 19 January 2015 to low-cost reusable carrier bags. Ministers welcomed the introduction of the Food Waste Regulations (NI) 2015, which will restrict the amount of food waste being landfilled. Ministers also welcomed the continued cross-border collaborative work on the development of the river trusts, including the provision of funding by Ireland to the Rivers Trust organisation in Northern Ireland to assist with the development of river trusts in Ireland, including the development of a new cross-border river trust in Inishowen.

[Top](#)

North/South Ministerial Council: Aquaculture and Marine (16 June)

[Full Statement](#)

The Agriculture Minister provided a statement regarding the twenty-seventh meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format held on Wednesday 27 May. Ministers received a progress report on the work of the Loughs Agency and welcomed the report on the activities of the agency and noted its ongoing conservation and protection efforts and continued participation in the climate change adaptation initiative. The Agency has successfully prosecuted across a range of offences, including illegal fishing, pollution and removal of gravel. The Council was given an update on the survival of the native Lough Foyle flat oyster. The ongoing jurisdictional issue has been discussed with the Foreign and Commonwealth Office (FCO), and an exchange of views has occurred. Further communication from the FCO is awaited and attempts are being made to expedite the outstanding issues. Ministers received a presentation on the sustainable development fund. This small grants scheme provides support for small-scale capital investment, training and events. The Council acknowledged the significant contribution that the scheme has made in providing sustainable social, economic and environmental benefits to the communities of the Foyle and Carlingford areas.

[Top](#)

Committee Business

DRD Budget Management (9 June)

[Full Debate](#)

The Chairperson of the Committee for Regional Development moved: *That this Assembly notes that the Committee for Regional Development has lost confidence in the Department for Regional Development's ability to effectively manage and maintain its budgets, as a result of an over-reliance on in-year monitoring, Translink's statement that it will cease to trade within the next two years, the potential for infraction proceedings arising from a lack of investment in waste water treatment plants and the risk of the Department exceeding its 2014-2015 budgetary control limits; and calls on the Minister for Regional Development to explain how he intends to negate these risks and to set out his financial strategy for the next financial period.* The motion therefore identified four main areas of concern: over-reliance on in-year monitoring; Translink ceasing to trade in two years; infraction proceedings; and a departmental budget in danger of exceeding its control limits. The Chair stated that whilst it is true that there is a significant investment programme in our water infrastructure, DRD still faces severe pressure and the very real potential of infraction proceedings because of the lack of investment in waste water treatment facilities, particularly those in Ballycastle and Belfast lough. In response to the Committee motion the Minister said that *'we face huge challenges in upgrading our water and sewerage infrastructure. If we do not do so and put plans in place, yes, there will be a risk of infraction proceedings'*. More recently, *we have been at risk of infraction because of inadequacies at Ballycastle waste water treatment works.* But he concluded that, *'I have ensured that a scheme to upgrade the work is now going ahead, with completion due in late 2017. As a result, infraction proceedings are unlikely'*. Despite his response the motion was carried.

[Top](#)

Answers to Written Questions

Minister of Agriculture and Rural Development

Financial Support for Homeowner Flood Protection Grant Scheme (1 June)

[AQW 46486/11-15](#)

The Agriculture Minister was asked whether DARD has considered providing a grant scheme for individual household flood protection. She replied that a business case has been approved for a

Homeowner Flood Protection Grant Scheme, to part fund Individual Property-level Flood Protection as a viable option to reduce Flood Risk. Work is presently ongoing in relation to the development of contracts to provide technical expertise and undertake the installation of Individual Property Protection products, such as barriers for doorways. The scheme is likely to be launched in the final quarter of 2015.

[Top](#)

Timescale for the various Going for Growth Actions (9 June)

[AQW 46957/11-15](#)

The majority of DARD's key actions outlined in the Executive's Response to *Going for Growth* will be delivered as part of the proposed 2014-2020 Rural Development Programme. The draft RDP was formally submitted to the European Commission on 14 October 2014, and a summary of all the proposed measures it contains is available on the DARD website.

The Commission's Observation Letter on the RDP was received on 31 March this year. DARD officials are working with the Commission to ensure its comments can be addressed and the programme approved as soon as possible, ideally by the summer. However given the delay in receiving the Commission Observation Letter, in the worst case scenario we would expect to obtain programme approval by September 2015. DARD officials are also continuing to work to obtain the necessary business case approvals and to develop the schemes for opening. In an earlier response (AQW 45900/11-15), the Minister referenced the Expert Working Group established to develop an Agricultural Land Use Strategy. This Group is on course to agree its final report in 2016. DARD is also working with AFBI to finalise the 2015/16 DARD-directed AFBI research programme including the highest priority new research projects which have been identified by DARD's Programme Management Boards.

[Top](#)

Minister of Enterprise, Trade and Investment

Discussion around closure of Renewables Obligation (1 June)

[AQW 46526/11-15](#)

The ETI Minister stated that he had met with the DECC Secretary of State recently to discuss the future of renewable support including her plans to close the Renewables Obligation in GB in 2016. ETI will assess the policy implications arising from any announcement by DECC on early closure of the RO in GB.

[Top](#)

Minister of the Environment

Job Losses - Lough Neagh (1 June)

[AQW 46518/11-15](#)

In relation to his assessment of the number of jobs that will be lost as a direct result of his decision to issue enforcement notices to five companies that currently extract sand from Lough Neagh, the Minister stated that he was aware of the economic importance of this long standing industry in terms of direct and indirect employment within local communities and the wider quarry products sector. DOE officials have been actively engaging with the sand traders and urging them to bring forward a planning application and the required environmental information to enable DOE to assess and determine, as quickly as possible, if the activities can and should be regularised. The onus is on the operators to comply with all statutory requirements and if this can be done in a timely manner it may minimise the threat of job losses. However, he could not comment on the outcome of any future planning application as this involves a statutory process requiring input from various consultees as well as consideration of public representations. He added that any forthcoming planning application will be *'thoroughly assessed to ensure that the Lough's conservation objectives and environmental features are protected; and that the economic benefits associated with the activities are fully considered and given appropriate weight in any final planning decision'*.

[Top](#)

Lough Neagh – Infraction Correspondence (3 June)

[AQW 46650/11-15](#)

The Minister was asked whether DOE has received correspondence from (i) the Department for Environment, Food and Rural Affairs; (ii) the European Commission; and (iii) any other European institution on (a) the Lough Neagh Special Protection Area; and (b) any failure to comply with

European directives; and if so, provide the content of that correspondence. He replied that DOE has recently received correspondence from the European Commission, via DEFRA known as a 'pilot' case. This case seeks clarification on allegations relating to a number of environmental matters, including reference to the Lough Neagh Special Protection Area. In addition to the Pilot case the Commission has, through the infraction process, raised other concerns with the UK as a Member State relating to various environmental directives. As has been the case in the past, whether infraction proceedings relate to the UK as a whole or NI in particular, DOE will either seek to demonstrate that compliance has been achieved or prioritise any actions necessary to achieve full compliance to the satisfaction of the Commission. Given the sensitivities around the infraction process, which is quasi-legal in nature, and in line with protocol, correspondence between the Commission and the Member State on infraction cases is regarded by both parties as confidential between them. The Minister however gave an assurance that DOE are taking all steps necessary to minimise the risk of any infraction penalties.

[Top](#)

Fixed Penalty Notices for Littering (5 June)

[AQW 46809/11-15](#)

DOE requests information on fixed penalty notices issued by district councils after the end of each financial year. The table presented sets out the number of fixed penalty notices issued by each district council for litter offences in the four financial years from 2010/11 to 2013/14. Receipts generated are not directly proportional to the number of notices issued due to a number of factors, including: non-payment of fixed penalty notices, some may be withdrawn and others pursued through the courts; the application of discounts for early payment; and the raising of the maximum penalty from £50 to £80 through the Clean Neighbourhoods and Environment Act (NI) 2011.

[Top](#)

NIEA Farm Inspections (9 June)

[AQW 46167/11-15](#)

The Minister provided details of how many on farm inspections have been completed by the NIEA, in each of the last 3 years, broken down by council area. The locations of farms inspected from Single Farm Payment Claimants are recorded against the postcode of the registered address of the farm by the NIEA. This is not necessarily the location of the land to which the inspection applies. These visits are not recorded on a Local Council, Northern Ireland Assembly or Westminster constituency basis. There are two methods of selection for inspection visits: 25% are randomly selected from a list of all Single Farm Payment claimants; the remaining 75% being selected through a risk-based approach based on a number of parameters and on previous compliance records. NIEA officials from the DOE also carry out inspections in accordance with the requirements of The Waste Management and Contaminated Land (NI) Order 1997 and The Waste Management Licensing Regulations (NI) 2003. These visits are in relation to licensed or exempted activities being carried out on farms, for example, composting, anaerobic digestion and infilling. Information was also provided on the number of inspections undertaken over the last three years.

[Top](#)

Minister of Finance and Personnel

Rates Demands on Renewable Energy (10 June)

[AQW 47035/11-15](#)

The Minister of Finance and Personnel was asked to detail his rationale for the calculation deployed in imposing rates demands on renewable energy sources, including wind turbines and hydro plants. He replied that renewable energy sources are valued on exactly the same basis as other forms of energy generation, namely, on an estimate of the facility's 2013 annual rental value. To do otherwise would contravene EU State Aid rules. This is also the same basis that is applied to all other non-domestic rateable property. The legislation does not lay out how the valuation should be arrived at. This is something that is established through the courts and tribunals both in NI and elsewhere in the UK. Accordingly, Land & Property Services (LPS) will adopt whatever methodology is appropriate. Energy sources, including renewable energy, tend to be valued using the receipts and expenditure method of valuation, given the absence of direct and reliable market rental evidence. The rating system must value all rateable properties in a consistent manner and this does not allow discounts to be given for subsidised sectors of business. Reliefs can be and are given in certain circumstances to specific sectors, however, the circumstances in which these can be given is limited

due to EU State Aid considerations. Renewable energy sources have always been subject to rates throughout the UK, as is the case with all business activities that are part of the built environment. The Finance Minister cannot interfere with the basis used for calculating rate bills and the Land & Property Services is the statutory authority for valuation assessment, billing and collection of rates and this is governed by the provisions of the Rates (NI) Order 1977, and is consistent with the methodology for calculation utilised in the rest of the UK. This legislation is fully devolved and any change to the current arrangements would be for the Assembly to approve.

[Top](#)

Minister for Regional Development

Bicycles on Trains (2 June)

[AQW 46578/11-15](#)

The Minister asked whether permitting bicycles on trains would allow for connecting segments of a journey to be cycled; and why the decision to allow bicycles on trains is left to the discretion of the conductor in the absence of corresponding guidelines. He replied that bikes can be carried on trains after 09:30 hours, up to 4 bicycles on the Class 3000 trains or 8 on the Class 4000 trains. Prior to 09:30 hours bikes will not normally be carried because virtually all trains are filled to standing capacity with passengers. On lightly loaded services, e.g. outwards from Belfast prior to 09:30 hours the Conductor can exercise discretion and bikes will normally be accommodated.

[Top](#)

Oral Answers to Questions

Minister of the Environment

Environment Crime Unit (8 June)

[AQO 8338/11-15](#)

The Minister provided his assessment of the recent Criminal Justice Inspection Northern Ireland's review of the Northern Ireland Environment Agency's environmental crime unit. The CJ I review recommended that the NIEA enhance its enforcement and regulation activity and develop a more rigorous approach to dealing with environmental crime offenders. The Minister stated that its recommendations mirror 'my approach', and 'supports and underpins my and NIEA's aims and strategy, and I welcome its suggestions'. To ensure that those recommendations are established as smoothly and as quickly as possible, the Minister approved the recent appointment of a new temporary head of the environmental crime unit and outlined his commitment to ensuring that that vital role is filled permanently as soon as possible. In order to meet other recommendations the Minister outlined his intention to develop guidelines for levels of enforcement and the rationale for the prioritisation of investigations to allow NIEA's finite resources to be directed towards tackling the most serious environmental offending. In addition, DOE officials are examining how best to ensure that the recommended single environmental incident reporting mechanism can be advanced.

[Top](#)

Recycling: Household Figures (29 June)

[AQO 8517/11-15](#)

The Minister gave his assessment of the figures for household recycling for the 26 local councils for October to December 2014. When the provisional information on municipal waste for the October to December quarter of 2014 was published back in April, the Minister welcomed that the tonnage of recycled household materials excluding composting had increased by more than 16,000 tons, which is over 3.5%, compared with the same October to December period of the previous year. However, whilst the total tonnage of household materials sent for recycling increased, the rate of recycling decreased slightly by 0.3% to 38.6%, mainly because of the even faster growth in the total amount of waste collected by councils, but it is important to put that into context. Over the last five years, the recycling rate across all councils has increased. Over the last decade, the annual recycling rate has increased fourfold to 41.3% in 2013-14. Year-on-year improvements in the recycling rate have been increasingly more difficult to achieve due to poor financial return on low-grade recyclables, low global energy prices, which have made the substitution of virgin material with recycled material less financially attractive, and the high costs of recycling for some waste streams. Despite these difficulties, councils are working to meet the European Union waste framework directive target of a recycling rate of waste from households of at least 50% by 2020. In response to

a supplementary question and in the light of findings of the feasibility study for a deposit return scheme for Scotland the Minister has asked his officials to prepare papers outlining the feasibility and desirability of such a scheme for Northern Ireland.

[Top](#)

Local Development Plans – Community Consultation (29 June)

[\(AQO 8519/11-15\)](#)

The Minister outlined how DOE plans to consult with communities on the new local development plans. The Planning Act (NI) 2011, supported by subordinate planning legislation, established a two-tier planning system on 1 April 2015 that gave the 11 new councils powers in relation to the functions of development planning, development management and planning enforcement. The 2011 Act places a statutory duty for the preparation of a local development plan (LDP) on the new councils, with the DOE having an oversight role. A key element of the reforms to the planning system is enhanced and early public engagement, including through the development plan process. The 2011 Act places a statutory duty on each council to prepare a statement of community involvement (SCI). That is a statement of a council's policy to involve members of the public who appear to councils to have an interest in matters that relate to development in their districts. With respect to a local development plan, it is therefore the responsibility of each council to prepare a statement of community involvement and to consult communities on their new local development plans to involve them in shaping the growth and development of those areas. To support councils in their new development planning functions, DOE has developed a series of practice notes, one of which provides guidance on the preparation of a statement of community involvement. The Minister added that it was the intention that when devising their LDPs, communities be able to secure local policy flexibilities, where appropriate, that are aimed at reflecting local and particular circumstances. In response to a supplementary question the Minister stated that it is vital that we have as many Departments and or through their arm's-length bodies buying into the community planning process as possible. The Minister is consulting Executive colleagues on the development of a community planning engagement protocol. In addition, he has established the partnership panel, membership of which comprises a representative of each of the 11 new councils, Executive Ministers and representatives of NILGA. That partnership panel provides a mechanism for discussion between Executive Ministers and local government elected members on strategic policy matters at a political level.

[Top](#)

Environmental NGOs: Funding (29 June)

[\(AQO 8520/11-15\)](#)

The Minister was asked for an update on departmental funding provision to environmental non-governmental organisations in 2015-16. The Minister stated that he has focused on doing whatever he can within the imposition of this extremely difficult budget to ease the impact of these cuts, primarily through the use of carrier bag levy receipts. Therefore, he agreed initial allocations to environmental organisations totalling just under £1.5 million to help to deliver a wide range of environmental outcomes. Furthermore, DOE set up a workshop on 23 April to discuss how best to allocate £1.25 million of residual funding from carrier bag levy income to support key environmental priorities and help in safeguarding some of our most valuable sites and landscapes, protecting our priority species and encouraging access to the countryside. Following the workshop, which was attended by 22 environmental non-governmental organisations (ENGOS), the natural environment fund (NEF) opened for applications on 1 May with a closing date of 20 May. All applicants to the NEF were informed of the outcome of their grant application on 18 June in line with the established timetable. Twenty-one NGOs and landscape management bodies were awarded funding. He added that he has also allocated £0.3 million for the 2014-15 challenge fund from the carrier bag levy that will provide money to support community groups and schools in delivering environmental projects. ENGOS, provided that they are not the lead applicant, are encouraged to partner with eligible organisations in project delivery. The competition closed at noon on 26 June for community groups and will close at noon on 25 September for schools.

[Top](#)

Minister of Finance and Personnel

EU: Impact of British Exit (9 June)

[Topical Question 2](#) (AQT 2622/11-15)

The Minister of Finance and Personnel was asked for her analysis of the potential impact on the local economy of a British exit from the EU. The Minister replied that it was ‘rather early to be talking about an exit from the European Union when the negotiations have just begun’. When asked if she would commit to providing a risk assessment of the impact of the in/out referendum on the local economy, she replied ‘I am not quite sure how one could provide a risk assessment for part of a member state when it is the member state that is involved in the negotiations on the European Union and what needs to change with it. We are part of the United Kingdom; it is a member state, and negotiations take place at that level’.

[Top](#)

Minister for Regional Development

NI Water: Environmental Obligations (16 June)

[\(AQO 8394/11-15\)](#)

The Minister was asked for his assessment of NI Water meeting its environmental obligations over the next three years. He replied that NIW’s environmental compliance has steadily improved over the last seven years. This has led to NI Water achieving the best ever waste water compliance in recent years of 98%. The number of pollution incidents attributed to NI Water over this period has also declined significantly. The NI Water business plan for the price control 15 (PC15) period, which runs from 2015 to 2021, sets out the approach for NI Water to continue to improve its compliance and meet environmental obligations over the next six years. This approach is based on the DRD ‘Social and Environmental Guidance for Water and Sewerage Services’ launched in 2014. He added that NI Water will strive to continue to meet its environmental obligations over the next three years, however, due to the reduced funding allocations received by DRD, he was unable to fully fund the determination made by the Utility Regulator in relation to the levels of investment required in water and sewerage infrastructure for this financial year. Should the situation continue, it may adversely impact on NI Water’s ability to build on its success in improving on its performance. The Minister therefore concluded that it is an area of concern, and he will continue to bid for additional funding for NI Water through monitoring rounds.

[Top](#)

Office of the First Minister and deputy First Minister

Sustainable Development Strategy (8 June)

[Topical Question 5](#) (AQT 2605/11-15)

The First Minister and deputy First Minister were asked what importance they attach to the sustainable development strategy. The deputy First Minister replied *that it is very important that we recognise the need for a sustainable development strategy that works in the interests of all the people whom we represent, particularly given the very limited resources that we are all expected to work with and that will be further pressurised... Sustainable development is critical. We have sustainable development strategies in place. Our ability to fund those strategies is being threatened by the declaration of intent by the British Chancellor of the Exchequer that he will dramatically cut our budgets further in the time ahead.* In response to a supplementary question on a climate change bill, he stated that ‘Whatever the Minister brings forward on a climate change Bill will be considered very seriously by the Executive’.

[Top](#)