

Northern Ireland Assembly News – March 2020

51 MLAs have signed our Charter to Protect and Restore Nature – [see here for more information](#)

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Executive Committee Business

Legislative Programme (2 March)

The deputy First Minister sought and gained agreement: *That this Assembly notes the Executive's legislative programme as presented by the First Minister and deputy First Minister in their statement of 11 February 2020.* The Executive have focused on those legislative proposals that they believe can be introduced as Bills before the summer recess and that, with some degree of certainty, can consequently complete their passage before the Assembly is dissolved in 2022. Currently none of the Bills will be introduced by the Minister for Agriculture, Environment & Rural Affairs. However, the deputy First Minister assured the Assembly that this [programme](#) does not represent the last word on legislation during the remainder of this mandate. It is in no way an exhaustive programme. They are aware that Ministers wish to bring forward additional legislative proposals, which will be admitted to the programme when they have reached a state of readiness and have obtained Executive agreement.

Ministerial Statements

Inter-ministerial Group for Environment, Food and Rural Affairs (2 March)

Minister Poots [briefed](#) members on the meeting of the inter-ministerial group for environment, food and rural affairs that took place on 17 February 2020. The group provides central coordination and promotion of greater collaboration in areas of shared interest between portfolio Ministers who lead on agriculture, fisheries, the environment, forestry and rural affairs in the UK Administrations. The Minister indicated to the meeting that a deal that consisted of zero tariffs and zero quotas would be highly desirable and highlighted Northern Ireland's unique position in relation to regulatory alignment with the EU. He also emphasised the huge and fundamental problems for Northern Ireland agri-food businesses that would be caused by imposing tariffs from GB to NI.

Afforestation Programme (2 March)

Minister Poots [updated](#) the House about a new programme of afforestation. Over the next 10 years, DAERA will lead a programme of afforestation called Forests for our Future. By 2030, it will have planted 18 million trees to create 9,000 hectares of new woodland, which is equivalent to 10 trees per person in Northern Ireland. The programme will improve the resilience of Northern Ireland's forests and woodlands and increase their contribution to a sustainable, healthy environment; increase the contribution of forests and woodlands to Northern Ireland's sustainable and inclusive economic growth; and increase the use of Northern Ireland's forest resources to enable more people to improve their health, well-being and life chances.

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Private Members' Business

Areas of Natural Constraint (3 March)

Declan McAleer introduced a motion: *That this Assembly expresses concern at the Department of Agriculture, Environment and Rural Affairs decision to end areas of natural constraint support; notes that the decision has had a negative impact on farmers in severely disadvantaged areas; and calls on the Minister of Agriculture, Environment and Rural Affairs to use the powers contained within schedule 6 to the Agriculture Bill (HC Bill 7) to bring forward a new areas of natural constraint scheme.* In responding to the [debate](#) the Minister stated that SDA farmers, as a whole, have increased the value of their total payments from the CAP, despite the ending of the ANC scheme. He added 'While there will always be winners and losers at an individual level, at a regional level there has been no negative impact on SDA farmers. I want to make it clear that I do not intend to introduce an ANC scheme this year: I cannot. It is simply not possible. It would be possible to introduce an ANC scheme under the new Agriculture Bill, but the Bill's provisions will be operational only from 2021 onwards' He concluded that he wanted to devise the appropriate schemes and

measures beyond 2020 that are good for all farmers and provide the basis of a sustainable and profitable future. The Assembly divided and the motion was carried by 48 votes to 29.

Adjournment Debate

Comber Greenway: Investment (3 March)

In response to a [debate](#) on provision additional investment for the Comber Greenway – a seven-mile route that runs from east Belfast right through to Comber, the Minister for Infrastructure acknowledged the benefits of developing greenways are many, and the health and lifestyle benefits are well-understood and have been articulated by everyone in the Chamber this evening. In addition, there are social and economic benefits for communities, in particular in building dynamic local communities and vibrant economies. Walking and cycling are key elements of thriving towns and cities. In addition, more walking and cycling, especially for the shorter journeys that make up one third of all journeys that we make every day, will help to create a cleaner environment and ensure that all of us play our part in tackling the climate crisis. The Minister assured Members that she was keen to consider carefully how the development of greenways generally can deliver projects that have the potential to improve people's lives and connect communities and that once the Budget process provides clarity on the resources available to her, she will be able to firm up her objectives for cycling and active travel. She did however give a firm commitment that delivering more ways for the public to access active travel will be part of her focus over the next two years.

Answers to Written Questions

Minister of Agriculture, Environment and Rural Affairs

NI Agriculture Bill within Assembly Mandate (23 March)

When asked whether he will bring forward an agriculture bill within the current mandate of the Assembly, the Minister [replied](#) that he was focussed on ensuring agricultural policies are in place that will be good for farmers and provide the basis for an environmentally sustainable future. This is likely to require primary legislation in the Northern Ireland Assembly, which he will introduce at the appropriate time, subject to the Executive's agreement.

Peat Extraction and Prosecution (7 March)

The Minister [answered](#) a series of questions on peat in which he revealed that his Department does not hold information on the extent of unauthorised peat extraction in the wider countryside. DAERA officials are aware of a number of incidents of unauthorised peat extraction on designated sites such as Areas of Special Scientific Interest (ASSI). However, there are no records of prosecutions relating to unauthorised peat extraction in ASSIs during this period. In response to a question to detail the location; and annual volumes of commercial peat extraction in Northern Ireland he [replied](#) that DAERA does not hold information on the location or volumes of commercial peat extraction activities in the wider countryside. The power to grant permission for large-scale peat extraction rests with the Planning Authorities. In relation to Department owned lands, commercial peat extraction occurs at Newferry, under a lease arrangement. Volumes of extraction are unavailable.

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Bee Population (7 March)

The Minister [outlined](#) the measures his Department are taking to arrest the decline in the bee population. DAERA provides guidance to landowners on the maintenance of habitats to support the bee and wider pollinator population. Official controls includes monitoring honeybee apiaries and bee imports to detect the presence of harmful pests. An on-line database (Databees) has been introduced by DAERA in 2018 to encourage voluntary registration of bee keepers to improve effectiveness of bee health and controls and CAFRE facilitates preliminary courses for new entrants to beekeeping. DAERA is also currently contributing to the on-going work of a coalition of interest groups aimed at the development of a Pollinator plan covering the years 2021 to 2025.

Land management strategy and UN Sustainable Development Goal Three (6 March)

The Minister was asked what measures are being taken to implement a sustainable land management strategy that would fulfil the United Nations Sustainable Development Goal Three. UN Sustainable Development Goal Three is aimed at ensuring healthy lives and promoting wellbeing for all ages. He [replied](#) that DAERA is currently progressing a number of pilot measures under recommendations made in a Sustainable Agriculture Land Management Strategy for NI aimed at improving soil health, water quality and environmental performance.

Action plan on Ammonia (4 March)

The Minister [stated](#) that DAERA is developing a series of practical on-farm measures to reduce ammonia emissions across NI. These measures include legislation already implemented through the Nutrients Action Programme which will reduce ammonia emissions, as well as protect water quality, by phasing in a requirement to use low emission slurry spreading equipment on many farms and requiring a cover on all new above ground slurry stores. He intends to consult on a comprehensive strategy to reduce ammonia later this year.

Financial provision to address the climate and biodiversity crisis (4 March)

The Minister was asked what financial provision he plans to provide in 2020/21 and 2021/22 to address the climate and biodiversity crisis. He [replied](#) that DAERA has sought additional funding of £2.2m / £2.7m Resource and £2.1m / £7.8m Capital in 2020-21 and 2021-22 to take forward the climate change references for DAERA in the “New Decade New Approach” document. This is in addition to the £3m / £9m Strategic Environment Programmes Resource bids over the next two years which have been submitted to DoF as part of the ongoing Budget exercise. If this funding is allocated it would help to specifically realise improvements in biodiversity, air and water quality and some marine programmes which in turn should also contribute to combatting climate change. The final allocations to these areas will be confirmed after the Executive agrees the budgets for DAERA for each of these years.

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Environmental Crime and Punishment (4 March)

The Minister [revealed](#) how many convictions for environmental crime there has been by (i) type of conviction; (ii) financial penalties given; and (iii) custodial sentences given, for each year since 2008.

| Year | No. of Convictions | Type of Convictions | Financial Penalties given | Custodial sentences |
|------|--------------------|---------------------------|---------------------------|---------------------|
| 2008 | 43 | 43 waste | £119,500 | |
| 2009 | 35 | 35 waste | £77,250 | |
| 2010 | 51 | 16 waste 34 water 1 Other | £102,250 | |
| 2011 | 85 | 30 waste 51 water 4 Other | £128,418 | |
| 2012 | 82 | 25 waste 52 water 5 Other | £165,325 | |
| 2013 | 79 | 40 waste 37 water 2 Other | £99,934 | |
| 2014 | 61 | 32 waste 28 water | £121,195 | |
| 2015 | 82 | 34 waste 38 water 1 Other | £111,575 | |
| 2016 | 36 | 9 waste 27 water | £75,400 | 1 |
| 2017 | 30 | 10 waste 20 water | £89,400 | |
| 2018 | 22 | 4 waste 18 water | £165,700 | |
| 2019 | 18 | 5 waste 13 water | £92,550 | |

‘other’ types of convictions refer to those taken by NIEA’s Industrial Pollution and Radiochemical Inspectorate

Minister for the Economy

Green Economy (12 March)

The Minister for the Economy provided [details](#) of the local green economy. While the Northern Ireland Executive does not have an agreed definition of the green economy it is widely regarded as being low carbon, resource efficient and socially inclusive. While there is presently no dedicated measurement that captures the entirety of the green economy, her Department co-funds a UK-wide survey entitled the 'Low Carbon and Renewable Energy Economy survey' which is conducted by the Office for National Statistics (ONS). The latest published results from this survey (2018) and show that private sector businesses, active in the low carbon and renewable energy sector in Northern Ireland, employed 5,400 full-time equivalents and had turnover of £1.1bn. For an approximate comparison to the whole economy in Northern Ireland, this sector provides 0.95% of the full-time private sector jobs and 1.61% of total turnover.

Licences to explore for hydrocarbons and the Climate Emergency (2 March)

The Minister for the Economy [outlined](#) her Department's position on the issuing of licences to explore for hydrocarbons, in the context of the Assembly's declaration of a climate emergency. She stated that her Department has completed a high level internal review of licensing policy. This review highlighted the need for a better understanding of the need for, benefits and impacts of exploration for, and extraction of, petroleum. She has recently given approval for her Department to commission independent research in this area. The aim of this research is to develop our understanding of the potential economic, environmental and societal impacts of petroleum activities, and to consider what might be required in terms of a policy, and licensing regime taking account of the climate action and environmental commitments outlined in the deal. That research will inform her approach to the two current petroleum licence applications which are with her Department for consideration, as well as our future policy.

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Minister for Infrastructure

Water and Sewerage infrastructure and pollution (3 March)

The Minister was asked to outline her plans for investment in water and sewerage infrastructure to allow new connections and avoid an increase in pollution incidents. She stated that she was aware of the increasing issues at wastewater treatment works and in the sewerage system and her concern that this is having an impact on the environment and on planning decisions in respect of housing and business developments seeking connection to the sewerage network. Read her response [here](#).

Spend on Cycling (3 March)

The Infrastructure Minister provided details of her Department's spend per head of population on cycling for each of the last five years; and the budget for cycling in 2020/21. Access the figures [here](#)

Review of Old Mineral Permissions and Environmental Standards (12 March)

The Minister for Infrastructure was asked how many sites fall under the Review of Old Mineral Permissions and have not submitted updated conditions surrounding their compliance of environmental standards. Read her answer [here](#).

Climate Change Projections and sea level rises in Belfast and other coastal areas (11 March)

The Minister was asked (i) for her assessment of the UKCP18 climate projections noting sea levels in Belfast Lough in 2100 could rise by up to 94cms; and (ii) to outline the work of her Department in relation to sea defences and other measures to mitigate against rising sea levels in coastal areas. You can read her detailed response [here](#). In relation to Belfast, a tidal flood alleviation scheme is currently being developed to provide a long term approach to tidal flood risk management for Belfast City Centre, from Belfast Lough to Stranmillis Weir. It is estimated that the scheme will provide flood protection for up to 1,500 properties, will extend to over 8.5km and is estimated to cost in the region of £18million.

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Oral Answers to Questions

Minister of Agriculture, Environment and Rural Affairs

Mobuoy Dump: Mills Review (3 March)

The Minister [outlined](#) the regulatory and oversight reforms made by DAERA and the NIEA in response to the Mills review.

Coastal Erosion (3 March)

The Minister gave an [update](#) on DAERA's work with the Department for Infrastructure on coastal erosion. The coastal forum has enabled DAERA to collaborate and develop strong links with the Department for Infrastructure on coastal erosion risk management issues. The two Departments commissioned a baseline study and gap analysis of coastal erosion risk, published in January 2019. The primary conclusion was that there is insufficient data, and the results must be considered as preliminary and of insufficient reliability to inform coastal management decision-making. The report made recommendations on how to improve the evidence base, and these have informed the draft coastal work programme. As part of this project proposal is in preparation for a comprehensive shoreline survey and vulnerability assessment, the coastal forum has also prepared a position statement to assist councils with their consideration of coastal change when preparing local development plans.

Slurry Spreading: Regulations (3 March)

The Minister gave his [assessment](#) of the effectiveness of regulations governing the spreading of slurry or other materials on farmland. Key measures include a closed period during the winter months, when slurry cannot be spread, and no spreading when soil and weather conditions are unsuitable. There are limits to how much slurry can be spread. There are non-spread zones beside waterways and a minimum slurry storage capacity requirement for livestock farms. The NAP for 2019-2022 includes additional measures. These aim to address pressures on water quality, particularly for increasing phosphorus levels, which have been evident over recent years. Other measures include a requirement to use low-emission slurry spreading equipment in certain circumstances. The Minister added that in his opinion farming by calendar does not work and his department may look at additional flexibility on the precise timing of the open and closed seasons for slurry spreading.

Wild Flower Planting Project (3 March)

The Minister [confirmed](#) that he would support a wild flower planting project to encourage natural ecosystems and improve biodiversity in Northern Ireland. He has asked about when looking at how we move beyond the current environmental farming schemes (EFS) to the next tranche. It is a great thing to encourage wild flowers, and it is something that he would be keen to investigate further.

Minister for Infrastructure

Winter Flooding: Strong Report (16 March)

The Minister for Infrastructure [outlined](#) the lessons learnt from the findings of the Strong report, 'Review of Winter Flooding (NI) 2015-2016'. The report made 10 headline recommendations that covered a number of areas that would help to further improve the ability of government and society to manage and respond to flooding. She stated that all recommendations have now been addressed and many positive benefits in the management of flood risk here have already been realised.

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