

Northern Ireland Assembly News – March 2021

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

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Executive Committee Business

Budget Bill: Second Stage (2 March)

As part of the [debate](#), the Chairperson of the Committee for Agriculture, Environment and Rural Affairs outlined the Committee's position on some aspects of the DAERA budget. The draft budget proposals provide for £544.2 million of resource DEL and £95.5 million capital DEL. While that includes replacement by Treasury of the funding previously provided by the EU for farm payments, there is still a shortfall arising from the replacement of pillar 2 funding. In general, the Committee is aware that, in the spending review outcome, everyday expenditure is standing still and there is no additional block funding for DAERA. DAERA will press the Finance Department for additional resource DEL and capital DEL funding to take forward work on the green growth strategy and the bovine TB eradication strategy in particular. DAERA has been able to secure additional funding from Treasury for its work on EU exit, as well as water reform and climate change initiatives. The Committee welcomes that additional funding. Overall, on resource DEL, DAERA faces a shortfall of £33.9 million, most of which arises from the shortfall in replacement EU funding. The Committee has registered concerns regarding the shortfall of about £14.4 million in 2021-22 against pillar 1, pillar 2 and common market organisation (CMO) funding. There is also a shortfall of £5.1 million that was obtained by the EU fund for disease eradication - used in previous years towards the costs of bovine TB eradication. It is not being replaced by the Treasury and therefore represents a shortfall in its budgetary requirements. The budget for bovine TB has, over the last few years, varied between £36 million and £40 million per year. The Committee is concerned about the lack of information and clarity on the UK Shared Prosperity Fund (SPF) and that there is no detail on the method of allocating the SPF between the four Administrations. The Committee also noted that £15.6 million of capital DEL is to be allocated to the green growth foundation programmes. Those programmes are not yet fully developed, but they will be schemes and projects that will fall under a carbon-neutral programme, with the aim of working towards a target of zero by 2050. The Committee was disappointed that no further information on those schemes was available. Finally, the AERA Committee Chair drew attention to the Office for Environmental Protection (OEP) which will have a role and remit that extends to NI. It was originally envisaged that the OEP would be established on 1 January and take on an oversight role, but it is not now expected to become fully operational until late 2021. The Committee has expressed concerns that that delay in the creation of the OEP will leave a governance gap in environmental oversight. The Committee also noted a recent announcement by DAERA on 16 February about the establishment of a new body, the Interim Environmental Governance Secretariat (IEGS), on a temporary basis.

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Private Members Business

Climate Change Bill: First Stage (22 March)

Green Party MLA Clare Bailey [introduced](#) the Climate Change Bill [NIA19/17-22], which is a Bill to enable the mitigation of the impact of climate change in Northern Ireland; establish a legally binding net-zero carbon target for Northern Ireland; provide for the establishment and powers of the Northern Ireland Climate Commissioner and Northern Ireland Climate Office; guarantee existing environmental and climate protections; and for connected purposes.

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Answers to Written Questions

Minister of Agriculture, Environment and Rural Affairs

Investment in Forest Parks (4 March)

The Minister [stated](#) that he was pleased to see the positive out-workings of effective partnerships between Forest Service and local Councils which has enabled many new and improved visitor

facilities at our Forest Parks. These partnerships are progressing and ongoing projects with investments of £3.6 million are currently being delivered in nine different forests. This includes funding of £2.1 million by through the Tackling Rural Poverty and Social Isolation (TRPSI) programme. The investments are aimed at enhancing forest recreation infrastructure which will contribute to regional tourism, provide greater outdoor recreation opportunities and health and well-being benefits for local people. Looking forward, Councils have been invited to submit expressions of interest for enhancement works to Forest Parks or Community Trails in their Council area and DAERA hopes to be in a position to contribute funding to successful projects under the TRPSI programme in the 2021/22 financial year.

Update - Deposit Return Scheme for Northern Ireland (4 March)

The Minister [stated](#) that he plans to consult on a deposit return scheme this spring and officials continue to engage with stakeholders on the proposals. He believes that such a scheme can increase recycling of single use drinks containers significantly and result in a substantial reduction in the amount of littering in Northern Ireland. The options for scope of material to be included, size of container, deposit level and model of a DRS will be presented in the forthcoming consultation.

Eradication of Single-use Plastics on the Government Estate (4 March)

The AERA Minister [stated](#) that the Plastic Reduction Action Plan to end the use of unnecessary single-use plastic across the Northern Ireland Civil Service government estate has commenced. Suppliers are presently identifying alternatives to the disposable items currently in use. NIEA within DAERA and Construction and Procurement Delivery within Department of Finance have already altered environmental statements within their contracts and tenders around addressing unnecessary single use plastic. An interdepartmental working group has been formed to take forward this priority work and a staff awareness campaign across all the departments has commenced. The implementation period will continue until October 2021 when the ban is due to come into force however with unprecedented pressures across all departments in the current climate, this date will be kept under continual review. In addition, he is working with his officials to introduce measures for the removal of 10 problematic single use plastic items for which there are suitable, more sustainable alternatives. These restrictions will help to support the work being undertaken to eradicate unnecessary single-use plastics within the government estate.

Endangered Wildlife Species (5 March)

The Minister [outlined](#) how endangered and threatened wildlife species are identified in Irish Red Data lists, and are also included in the published list of NI Priority Species. DAERA has initiated and supported a wide range of studies on these species and will continue to do so, particularly given the wide range of pressures and threats facing our natural environment. These include monitoring the status of species, researching conservation action that would benefit them and assessing the outcomes of conservation action. Endangered or locally threatened species covered by these studies include Curlew, Hen Harrier, Marsh Fritillary butterfly, Red Squirrel and Freshwater Pearl Mussel. Similar work is being taken forward for threatened groups such as birds of prey, farmland wading birds, certain freshwater fish species, and sharks, skates and rays.

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Restoring Marine Ecosystems (3 March)

The AERA Minister was asked what consideration his Department has given to implementing a similar scheme to the £500 million Blue Planet Fund introduced by the UK Government. The Blue Planet Fund aims to support developing countries to protect the marine environment and reduce poverty. He [replied](#) that in NI, DAERA is developing proposals to support the protection and restoration of marine ecosystems. The Environment Fund and its Challenge Funds provide support for marine ecosystem restoration projects and this will continue through the Green Recovery Challenge Fund that is being developed for 2021/22. Marine ecosystem restoration initiatives and programmes will require multi-year investment and the level of delivery will depend upon the level of budget secured by DAERA.

Tree Felling Licences (5 March)

In response to questions on tree felling licences, the Minister [provided](#) the following tables. Table 1 detailing the number of licences granted and those where further environmental regulation compliances was requested to protect Natura 2000 sites and Areas of Special Scientific Interest. Table 2 listing the number of reports of unauthorised tree felling received and enforcement action taken in the business year to date, and in each of the last three years.

Table 1 – Tree Felling Licences

Business Year (*year to date)	Applications granted	Applications where further environmental regulation compliance was requested	Applications ultimately refused
2017/18	43	2	0
2018/19	54	15	0
2019/20	67	10	0
2020/21*	78	19	0

Table 2 – Reports of Unauthorised Felling

Business Year (* Year to date)	Reports received	Enforcement action taken
2017/18	11	2
2018/19	13	0
2019/20	12	0
2020/21*	17	1

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Waste Incineration and Recycling (19 March)

As part of a response to a [question](#) on household waste collected for recycling being sent to incinerators, the Minister revealed that the latest statistics indicate that 22% of all municipal waste arisings in Northern Ireland are incinerated and that of the 95,536 tonnes of recycling collected at the kerbside, around 11% of this is rejected and sent for energy recovery, (based on 2019-20 annual report, prior to the introduction of the Circular Economy Package) This number is significantly lower than other parts of the UK, and DAERA is working closely with councils and delivery partners to improve this further. In addition, councils are well aware of the benefits of reusing and recycling our resources over and above incineration or landfill.

Peat Extraction: Sites and Rates (19 March)

The Minister [stated](#) that the Peatland Strategy for Northern Ireland will provide a framework for conserving our intact semi-natural peatlands and restoring degraded semi-natural peatlands. A key action within the draft Strategy is to compile an asset register for our semi-natural peatlands which will quantify distribution, type, condition, current management practices, potential threats and restoration potential of semi-natural peatland. The power to grant permission for large-scale peat extraction lies with Planning Authorities. The Department is a statutory consultee and provides

advice to Planning Authorities in relation to planning applications for peat extraction but does not hold information on the location or current and projected extraction rates from approved sites.

Future Farm Payments - Climate Emergency and Nature Restoration (19 March)

The Minister was [asked](#) how he will ensure that future farm payments help to address the climate emergency and work to protect and restore nature. He replied that developing an industry that is environmentally sustainable in terms of its impact on, and guardianship of, air quality, soil health, carbon footprint and biodiversity is one of the outcomes at the core of his vision for future agriculture in Northern Ireland. He added that he was determined to work with our farmers and land managers, and our environmental stakeholders, to co-design a new approach to agri-environment measures that is focused on delivering outcomes, and believes that farmers should be properly rewarded for delivering these environmental outcomes and achieve a return on the environmental assets present on their farms.

Threat to Coastal Areas from Climate Change (22 March)

To Minister was [asked](#) for his assessment of the threats posed to our coastal areas by climate change. He replied that climate change has been identified as one of the main pressures affecting the UK coastal environments. In the coming decades it is anticipated that potential economic, societal and environmental risks caused by climate change on coastal areas will significantly increase. The Marine Climate Change Impacts Partnership (MCCIP) 2020 Report Card made future projections of sea level rise around the UK. For Belfast, the central estimate sea level projection for the year 2100 ranges from 0.26 – 0.58 metres, depending on the emissions scenario. Sea levels along the Northern Irish coast are predicted to rise, as are the frequency and intensity of extreme storm events. In combination these impacts will have a direct physical impact on our coastal areas, allowing higher energy waves to reach our coastline, with greater potential for coastal erosion and increased risk of flooding. The frequency and magnitude of coastal change in NI will undoubtedly be greater in the future than in the recent past or present and coastal assets will be subjected to enhanced rates of erosion, inundation and weathering or decay. DAERA is progressing actions identified in the Climate Change Risk Assessment (CCRA) 2017 and the subsequent NI Climate Change Adaptation Programme 2019-24. Research has been commissioned from the Agri-Food and Biosciences Institute (AFBI) to assess the impacts of future climate change scenarios on our coastal habitats. This will include identification of the risks to coastal assets, such as Marine Protected Areas, infrastructure and heritage. By integrating the best available evidence this project will identify practical ways to develop adaptation measures to accommodate a range of climate change scenarios. DAERA are contributing to the development of the third Climate Change Risk Assessment evidence report which is due to be published in summer 2021; this will contain further projections for sea level rise and impact at the coast.

Air Quality in Northern Ireland (22 March)

The Minister [stated](#) that the management of air quality in NI is based on the requirements of the EU Air Quality Directives, and on the 2007 UK Air Quality Strategy. These requirements are incorporated (or 'transposed') into Northern Ireland's own legislation by statutory measures, forming the basis of a strong framework for managing air quality. District councils have a statutory duty to appropriately monitor, assess and to take action on air pollution under Part III of The Environment Order (NI) 2002. The Local Air Quality Management (LAQM) system has been established for councils to fulfil their statutory duties under the Order and assess compliance with objectives in the UK Air Quality Strategy. At locations where objectives are not expected to be met by the relevant target date, district councils are required to declare an Air Quality Management Area (AQMA) and to develop an Action Plan to address the problem. The Department provides funding to councils under the LAQM grant scheme to carry out monitoring and associated air quality duties. Current, real-time pollution levels are available from each district council at: <https://www.airqualityni.co.uk/>

Minister for the Economy

ROC Payments and Planning Permission (1 March)

The Minister for the Economy was asked why her Department continues to permit the payment of Renewables Obligation Certificates to the owners of wind turbines which do not have planning permission. She [replied](#) that it is important to note that the NI Renewables Obligation (NIRO) is a market-based scheme which operates on the basis of trading Renewable Obligation Certificates across the UK. It is not a grant scheme and payments are not made to generators directly from government. Planning permission is not included in the NIRO legislation as a pre-requisite for accreditation, however, this does not remove the responsibility on developers to obtain whatever permissions their projects require. Her Department has no legislative powers in this area and primary responsibility for the enforcement of planning legislation rests with the appropriate planning authority.

RHI Participants - Failed Audits (1 March)

The Minister for the Economy was asked (i) how many Renewable Heat Incentive (RHI) participants have failed audits; (ii) how many RHI participants have returned funds having failed audits; and (iii) much funding has been recovered as a result. She [replied](#) that: (i) Potential non-compliances have been identified on almost all sites, however, the majority have been resolved through engagement with the participant and remedial action being taken on site. Of all cases closed to date, 5% have required enforcement action. (ii) To date, the compliance process covering the early phases of the NI Inspection Programme has identified more than £316,290 to be recouped in relation to 15 sites. (iii) Of the sum identified for recoupment, some £263,030 is being pursued via legal proceedings, with the remaining £53,260 being offset against future payments in respect of 4 sites.

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Minister for Infrastructure

Spend on Walking & Cycling (19 March)

Based on a NI population of 1.9 Million the Minister for Infrastructure [revealed](#) the capital spend and spend per head of population on walking and cycling infrastructure by her Department in the last five years. Figures for the 2020/21 financial year are provisional and these figures do not include the resource spend in relation to the Active School Travel programme, Cycle Proficiency Scheme and general promotion of walking and cycling.

Financial year	Capital Spend	Spend per head of population
2016/17	£2,528,964	£1.33
2017/18	£3,205,819	£1.69
2018/19	£4,194,100	£2.21
2019/20	£3,529,893	£1.86
2020/21	£6,000,000 (estimated)	£3.21

Planned Legislation (22 March)

The Minister was [asked](#) to outline the legislation she intends to introduce by July 2021. She replied that given the constraints on Assembly time within the current mandate and the impact of the COVID pandemic on the processes required to facilitate these, she had been unable to progress

these legislative changes to the point where they could be introduced in the current mandate. However, in terms of primary legislation, officials are currently conducting a review of the implementation of the Planning Act (NI) 2011 and also on work to support commencement of the Reservoirs Act 2015 following the transfer of functions from DAERA. In terms of remaining priorities, officials have been working on an Active Travel Bill, which would enhance her vires in respect of developing active travel routes and provide powers to grant fund active travel activities.

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Oral Answers to Questions

Minister of Agriculture, Environment and Rural Affairs

Illegal Dumping (2 March)

The Minister [stated](#) that DAERA officials are continuing to develop inter-agency working on the fly-tipping protocol, which is in the process of being agreed with local councils. That will facilitate quick and efficient responses to smaller cases of reported illegal dumping; consolidate responsibilities for the NIEA and Councils; and maximise the effectiveness of our collaborative efforts to deal with illegal dumping. Throughout the last year, DAERA have been proactive in delivering a multimedia communications strategy that is aimed at combating illegal dumping, fly-tipping and littering. That was delivered via radio, social media and a flyer to 800,000 households in Northern Ireland, and it has led to increased awareness of the impact of illegal dumping amongst the general public, generating more reports for officers to investigate and more opportunities to target offenders.

Waste Water: Coronavirus Monitoring (2 March)

The Minister was asked for an update on the monitoring of waste water containing the novel coronavirus responsible for COVID-19. He [replied](#) that officials have been working with DEFRA, other devolved Administrations and the Science Foundation Ireland (SFI) to inform the development of a NI programme for SARS-CoV-2 coronavirus surveillance in waste water. In November 2020, DAERA agreed to co-fund a research project with SFI to establish that waste water surveillance and reporting. In NI, a team at QUB is leading that work, with collaborative partners in UCD. They commenced their research in December 2020, with an initial scope of work that included sampling two waste water treatment sites in NI, with plans to extend to a further six sites: eight sites in total. DAERA agreed a funding extension of the initial research grant award in January, which will enable the capability being established through the programme to process a greater number of samples in the coming months. DAERA officials are engaging with their counterparts in the Department of Health, the Public Health Agency and the Department for Infrastructure to develop an effective cross-departmental approach to long-term waste water surveillance.

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Minister for the Economy

Green Economic Recovery (9 March)

The Minister for the Economy [outlined](#) her plans for a green economic recovery from the COVID-19 crisis. The Minister replied that on 25 February, she launched her economic recovery action plan with rebuilding a greener economy at the heart of the plan, and that includes actions focused on encouraging the development of a greener future in areas such as clean energy, green innovation and energy efficiency. The plan also reaffirms a commitment to the development of the hydrogen and circular economy, she added that embracing and investing in environmentally friendly opportunities offers the Northern Ireland economy the opportunity to build resilience, increase productivity, create jobs, strengthen competitiveness and realise carbon, energy and cost savings.

Minister for Finance

Zero-carbon Buildings (15 March)

The Finance Minister [stated](#) that his department has prepared an ambitious draft programme of phased uplifts to the energy efficiency requirements of building regulations for inclusion in the Executive's forthcoming energy strategy options consultation. They will refine that further and consult as appropriate as part of our ongoing work. Officials are focused on an urgent uplift to the current requirements for new buildings, which we plan to bring forward within this Executive period, if possible. Officials are engaging with the Department's building regulations advisory committee and its specialist subcommittees on the details. Further uplifts will take into account technological advances and policy developments in other regions over the coming years. It seems likely that revisions made after 2025 will anticipate that all new buildings will routinely have very high building fabric standards and low-carbon heating.

Green New Deal (15 March)

The Minister of Finance was asked whether he will lead on a green new deal strategy for Northern Ireland (Topical Q1). He [replied](#) that 'I certainly hope so'. He added that a lot of things can be done in the Departments' current spend, with the level of collaboration that they should be trying to achieve with one another, to improve environmental outcomes and that he certainly hopes that we get a green new deal strategy as quickly as possible.

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