

Northern Ireland Assembly News – November 2015

Executive Committee Business

- [Renewable Heat Incentive Schemes \(Amendment\) Regulations](#)

Committee Business

- [Assembly & Executive Reform \(Assembly Opposition\) Bill: Extension of Committee Stage](#)
- [UN Climate Change Conference 2015](#)

Answers to Written Questions

- [Minister of Agriculture and Rural Development](#)
 - [Ash Dieback Update](#)
- [Minister of Enterprise, Trade and Investment](#)
 - [Update on Alternative Energy Sources](#)
- [Minister of the Environment](#)
 - [Support for Septic Tank Replacement](#)
 - [GM Crops](#)
 - [Permitted Rights for Rooftop Solar Projects over 50kw](#)
 - [Marine Conservation Zones Consultation](#)
 - [Action for Endangered Species](#)
 - [Quantity of Recycled Waste](#)
 - [Ban on Snares](#)
 - [MoU with UFU](#)
- [Minister for Regional Development](#)
 - [Cycling Provision Beyond Belfast](#)
 - [Budget for Development of Greenways](#)
 - [Projected Spend on Cycling](#)
 - [Belfast Transport Hub Update](#)

Oral Answers to Questions

- [Minister of Agriculture and Rural Development](#)
 - [River Pollution](#)
 - [Horse Mussel Beds: Strangford Lough](#)
 - [Increasing Woodland Cover](#)
- [Minister of the Environment](#)
 - [Natural Environment Fund](#)
 - [Ancient and Culturally Important Trees: Registry](#)

Executive Committee Business

Renewable Heat Incentive Schemes (Amendment) Regulations (NI) 2015 (17 November)

[Full Debate](#)

The Minister of Enterprise, Trade and Investment moved: *That the draft Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 be approved.* He stated that it was always the intention to introduce changes to the non-domestic scheme to make tariff changes and introduce cost control measures. These regulations begin the process of introducing measures to update the non-domestic scheme. First, new tariffs are being introduced for combined heat and power (CHP). That is to allow CHP projects to claim for their renewable heat under the RHI and their renewable electricity under the NI renewables obligation. Secondly, the medium biomass tariffs are being extended to encompass larger boilers. That will incentivise single larger boilers, and it brings NI into line with GB. Thirdly, a tiered tariff and cap are being introduced for new small and medium biomass installations to ensure value for money. The Minister concluded by stating that current estimates suggest that around 6% of our total heating needs in NI are now met through renewable heating technologies. In addition to the reduction in CO2 emissions that that brings, the local NI economy is benefiting from over £23 million of annual investment through the RHI schemes.

[Top](#)

Committee Business

Assembly & Executive Reform (Assembly Opposition) Bill: Extension of Committee Stage (9 November)

[Full Debate](#)

The Chairperson of the Assembly and Executive Review Committee sought and gained approval for the extension of the Committee Stage of the Assembly & Executive Reform Bill. The Committee was asked to consider and report to the Assembly no later than 30 November 2015. The Bill contains nine parts, 24 clauses and a schedule, which sets out 10 areas that may, subject to the approval of the Assembly, be included in an Assembly and Executive reform motion. The purpose of the Bill is to provide for the formation of an Assembly opposition, with certain rights and benefits, and, in the words of the Bill itself, "to promote constitutional change" and "reform the Executive." At its meeting on 13 October, the Assembly and Executive Review Committee agreed to issue a call for evidence to invite interested parties to submit their views on the Bill. The Committee considered an extension to the Bill's Committee Stage necessary in order to give stakeholders adequate time to respond and to enable the Committee to reflect on the evidence received. To date, the Committee has heard oral evidence from legislative experts and leading academics, and the call for evidence closed on 10 November. Further oral evidence sessions are planned for the weeks ahead.

[Top](#)

UN Climate Change Conference 2015 (30 November)

[Full Debate](#)

The Chairperson of the Committee for the Environment moved: *That this Assembly notes that the 2015 United Nations Climate Change Conference is taking place in Paris from 30 November to 11 December; considers that this is an opportunity to agree an ambitious global plan to tackle the threat of climate change; welcomes the Minister of the Environment's attendance at this conference to represent Northern Ireland; further notes that the projected reduction of greenhouse gas emissions of 33·3% by 2025, based on 1990 levels, falls just short of the Programme for Government target of 35%; and calls on the Minister of the Environment to work with his Executive colleagues to increase existing efforts and consider innovative approaches to help reduce emissions and move to a low carbon economy.* The PfG set a target of reducing gas emissions by 35%, based on 1990 levels. Some progress has been made, and, currently, NI has reduced its greenhouse gas emissions by 16%. The last published projections estimate that, by 2025, NI will fall short of its target and reduce greenhouse gas emissions by only 33·3%. The Chairperson added that it is evident, therefore, that a joined-up government approach is required to further our efforts to reduce greenhouse-gas emissions and to move to a low-carbon society. The Committee was calling on the Minister therefore, along with his Executive colleagues, to increase efforts and to consider innovative approaches to help to reduce emissions and move to a low-carbon economy. Members also debated an amendment from Steven Agnew MLA to: Leave out all after "colleagues;" and insert "to introduce

a Climate Bill for Northern Ireland that includes legally binding, long-term and interim targets on the reduction of greenhouse gas emissions. Much of the unwillingness during the debate for the introduction of a NI Climate Change Bill was based around its potential to increase the burden on our farming industry. In his response to the debate the Environment Minister stated that he had been working to build consensus and to build momentum for climate change legislation. While some parties and Departments are still reluctant, *'it is them and not us who are the King Canutes here.* They are standing against a growing tide of scientific and public opinion'. He added that he had *'strenuously supported having our own climate change legislation, which would provide clarity and the long-term certainty that business and industry need. It would create the environment to drive and encourage innovation, to plan effectively in the technology needed and to generate employment as we make the transition to a low-carbon economy and a more sustainable and just society'*. The Minister added that he had issued a discussion document to stakeholders that outlines his thoughts on climate change legislation and seeks their support for the introduction of a climate change Bill in the next Assembly term. Proposals include setting of a long-term target; providing powers to set interim targets that would assist in evaluating progress being made to the long-term target while ensuring that we remain competitive in a global economic market; and providing powers to establish an independent climate change advisory body. Both the amendment and the motion received narrow majorities in the house of Ayes 46; Noes 43, and Ayes 46; Noes 42 respectively.

[Top](#)

Answers to Written Questions

Minister of Agriculture and Rural Development

Ash Dieback Update (3 November)

[AQW 49910/11-16](#)

Ash Dieback has recently been detected in hedgerow ash at 3 locations in proximity to infected recently planted sites. Further surveys in 2016 will determine more fully the extent of any spread of Ash Dieback to established ash in the wider environment locally. Since the first finding of the disease in autumn 2012, Forest Service Plant Health Inspection Branch has been proactive in managing the disease risk through implementing the All Ireland Chalara Control Strategy and to date have removed over 96,000 affected recently planted ash trees. Scientists in AFBI are undertaking local research in order to understand the nature of the disease, and have engaged with European experts to gain a better understanding of the disease situation.

[Top](#)

Minister of Enterprise, Trade and Investment

Update on Alternative Energy Sources (11 November)

[AQO 9047/11-16](#)

The ETI Minister revealed that the most recent official statistics covering the twelve months ending March 2015 show that 19.9% of electricity consumed was generated from renewable sources. The latest unofficial figures for the twelve months ending September 2015 show an increase to approximately 23%. The key PfG target to have 20% of electricity consumption from renewable sources by 2015 has been achieved.

[Top](#)

Minister of the Environment

Support for Septic Tank Replacement (20 November)

[AQW 50252/11-16](#)

The Minister was asked whether he has given any consideration to rolling out a grants scheme to householders wishing to replace their septic tanks with the aim of promoting greater environmental protection. He replied that DoE does not have a scheme in place for providing grants for the replacement of septic tanks and has not considered the development of such a scheme. He added that to date research has indicated that only 10 – 15% of the Nitrogen Loading within NI water bodies can be apportioned to septic tanks. NIEA will continue to tackle the issues relating to septic tanks through the current regulatory regime and the delivery of targeted catchment improvement projects. He added that DoE recognises the concerns over the potential financial impact on

individuals who may need to upgrade or replace their septic tanks and that NIEA will continue to take a pragmatic and sensitive approach to resolving issues with householders.

[Top](#)

GM Crops (4 November)

[AQW 50106/11-16](#)

Mindful of the fact that none of the varieties in question was commercially attractive to growers here, and therefore his decision would have no practical implications for those growers, the Minister considered it prudent to exercise the opt-out and prohibit cultivation of these crop varieties. In reaching his decision he took into account the relatively small size of many agricultural holdings here and the potential difficulties in trying to keep GM and non-GM crops separate in the absence of effective coexistence measures. The Minister considered that the costs of doing so could potentially be significant and, in many cases, totally impractical. He was also concerned that the growing of GM crops could potentially undermine our international clean and green image.

[Top](#)

Permitted Rights for Rooftop Solar Projects over 50kw (11 November)

[AQW 49702/11-16](#)

The Minister was asked what consideration has been given to extending permitted development rights to rooftop solar projects over 50kw. He replied that he believes that it is important to promote the use of energy efficient renewable energy systems. The Minister recently met with representatives of the solar panel industry to listen to their views on this issue. Following this meeting he asked his officials to undertake work to consider options to extend permitted development rights for the installation of non-domestic roof top solar panel arrays beyond the current 50 kW output limit.

[Top](#)

Marine Conservation Zones Consultation (17 November)

[AQO 9065/11-16](#)

Powers to designate Marine Conservation Zones became available in NI under the Marine Act (NI) 2013. Since then DoE has been developing potential sites based on sound scientific evidence and with the involvement of stakeholders for all marine sectors including fishing, angling, renewable energy, ports & harbours and environmental groups. It is the Minister's intention to launch a public consultation on proposals for Marine Conservation Zones in December 2015.

[Top](#)

Action for Endangered Species (17 November)

[AQO 9063/11-16](#)

The Minister outlined departmental plans to develop or enhance conservation schemes for endangered species. Endangered species in NI are included in the published list of 481 priority species, which DoE plans to revise by 2017. Current conservation schemes involving DoE include the designation and management of nature conservation sites; increasingly close working with DARD on the development of agri-environment schemes; and the launch of an INTERREG V programme to promote cross-border co-operation to facilitate the recovery of selected protected habitats and priority species (including endangered species such as freshwater-pearl mussel, corncrake and breeding waders). DoE is also continuing to provide advice and financial support for a wide variety of conservation schemes in partnership with others, particularly NGOs including HLF projects such as the recently announced *Saving the Red Squirrel* project.

[Top](#)

Quantity of Recycled Waste (17 November)

[AQO 9062/11-16](#)

While the total quantity of retained recycled waste in NI is unknown; however, from data received by DoE from those waste management facilities accepting waste for final recycling, an estimate can be made of the waste reprocessed annually. The last available figures show that in 2012 at least 417,000 tonnes of waste were recycled here. Similarly, DoE holds details on the amounts of waste exported from here to countries outside the UK destined for recycling operations and in 2012 just over 598,000 tonnes was exported.

[Top](#)

Ban on Snares (25 November)

[AQW 50856/11-16](#)

The Minister stated that the use of snares is regulated by Article 12 of the Wildlife (NI) Order 1985. Any proposal to ban the use of snares would require amendment of that legislation and would

require primary legislation. He added that there was limited time left within the scheduled mandate of the Assembly to take forward primary legislation.

[Top](#)

MoU with UFU (26 November)

[AQW 50733/11-16](#)

The Minister explained why DoE decided it is no longer appropriate to enter into a Memorandum of Understanding with the Ulster Farmers Union. He stated that farming is a critical sector for economic success in Northern Ireland and that successful farming depends on a clean and healthy environment. He has been engaging with a range of stakeholders throughout the farming community to promote partnership working between NIEA and the agricultural sector with a view to delivering better environmental outcomes and supporting sustainable and profitable farming. Key NIEA staff engaged in a number of meetings with the UFU and worked with teams within the Agency to agree key actions to take forward in a Memorandum of Understanding (MOU). At the initial stages of drafting the MOU a proposal was included for a change in the regulatory approach for dealing with low severity farm pollution incidents. NIEA officials discussed the proposed approach on dealing with low severity with the European Commission Cross Compliance Auditors who indicated that the proposed approach to dealing with low severity farm pollution incidents would be in contravention of the relevant Cross Compliance Regulations and that findings had been made against other Member States for similar approaches. Given this position it was decided not to implement the proposed approach to dealing with low severity farm pollution incidents and the UFU were informed of this by NIEA officials at a meeting on 25 September 2015. The UFU expressed their disappointment that the proposed approach to dealing with low severity farm pollution incidents would not be implemented but acknowledged the efforts of NIEA officials in their discussions with the European Commission. The UFU Environment Committee met on 29 September 2015 and decided not to commit to signing the MOU at that time but agreed to pursue the proposed approach to dealing with low severity farm pollution incidents with the European Commission in the first instance through political representatives. Given the position of the European Commission Cross Compliance Auditors and the decision of the UFU it was decided that probability of signing the MOU was unlikely and therefore should not be pursued further. He concluded by saying that NIEA will continue to work in partnership with stakeholders such as the UFU to create prosperity and well-being through environmental excellence within legislative requirements.

[Top](#)

Minister for Regional Development

Cycling Provision Beyond Belfast (4 November)

[AQW 48311/11-16](#)

The Regional Development Minister was asked what work she is undertaking with councils to ensure that the cycling provision introduced in Belfast will be replicated in other areas. She replied that *'Northern Ireland Changing Gear – A Bicycle Strategy for Northern Ireland'* was published in August 2015. Following on from this a Bicycle Strategy Delivery Plan and a draft Belfast Bicycle Network Plan will be published in autumn this year. Following public consultation on the Belfast Bicycle Network Plan and the finalisation of the Plan, Bicycle Network Plans for other urban areas will be rolled out as part of the Bicycle Strategy. In addition, DRD's Cycling Unit is preparing a Greenways Strategic Plan for the whole of NI.

[Top](#)

Budget for Development of Greenways (19 November)

[AQW 50375/11-16](#)

The Minister stated that she was keen to look at ways in which she could assist in the development of greenways and was giving consideration to drawing up a strategic plan for greenways. Such a plan could consider ways in which schemes might be funded. DRD is working closely with DTTAS to scope out greenway projects for INTERREG V funding particularly those that are strong propositions in their own right. The budget provision allocated under this programme is €14 million and within this she would be willing to consider supporting specific projects that promote sustainable or active travel. It is the sustainable travel aspect of the greenway that will be key in determining which projects are funded under INTERREG. The Minister believes that there is an opportunity for other bodies, such as local councils, to make a contribution to developing greenways.

[Top](#)

Projected Spend on Cycling (25 November)

[AQW 50494/11-16](#)

The Minister explained that the attribution of spend to cycling specifically is not a precise exercise as many projects have benefits for cycling, even if not carried out specifically for that purpose. Equally, there are cycling-related projects which have benefits for walking and other active travel modes in addition to the cycling benefit. Other Departments also invest in projects that have cycling benefit. However it is anticipated that DRD will spend over £2 million on cycling infrastructure, measures and promotion of cycling in this current financial year.

[Top](#)

Belfast Transport Hub Update (25 November)

[AQW 50400/11-16](#)

Translink is working with DRD, the Strategic Investment Board and Belfast City Council on the plans for the new Belfast Transport Hub to ensure the development is fully realised as a major public transport and development opportunity. The project was awarded TEN-T European Funding in September 2014 for a technical development study and DRD has also provided funding to allow for detailed design, master planning and Outline Business Case (OBC) to be progressed. The design options that are now being explored show the inclusion of eight platforms and 26 bus stands to cater for the on-going expected growth in bus and rail passenger journeys within NI. The new Hub will be able to cater for 18 million passenger journeys by 2040 and will facilitate quicker Enterprise services to Dublin. A considerable number of environmental surveys and investigation works have been undertaken on the existing site and engagement is on-going with the surrounding communities. An OBC is being prepared for early 2016, with a possible planning application later in 2016 and an estimated completion date of 2021 dependent upon OBC approval and affordability.

[Top](#)

Oral Answers to Questions

Minister of Agriculture and Rural Development

River Pollution (2 November)

[AQO 8969/11-16](#)

The Minister was asked whether she plans to introduce a more joined-up approach with her Executive colleagues to address effectively the problem of river pollution. She replied that her remit covers farm source pollution, and DARD works with other Departments and agencies on a range of measures to prevent pollution and to improve water quality. DARD and the DOE are jointly responsible for the implementation of the EU Nitrates Directive the purpose of which is to prevent water pollution from agricultural sources and to ensure that manures and chemical fertilisers are used efficiently. She added that DARD also works in close partnership with the DOE, other Departments and stakeholders on the implementation of the Water Framework Directive which aims to deliver long-term sustainability for the water environment and covers all sectors that have an impact on water. DARD has also worked with a number of Departments on a long-term water strategy which she expects to come to the Executive for agreement in the coming months. The Minister concluded by saying that where there is room to improve, she was open to new initiatives that could help deal with the issues.

[Top](#)

Horse Mussel Beds: Strangford Lough (2 November)

[Topical Question 10 AQT 3060/11-16](#)

The Minister stated that DARD officials met the European Commission and informally accepted a number of actions that it felt were necessary to deal with our responsibilities under the Habitats Directive. In return the Commission was content with the scheme that DARD put forward. The situation is however continually reviewed, but the Commission has formally advised DARD that, as a result of the progress that has been made, it is content and therefore 'We are not at risk' from infraction proceedings.

[Top](#)

Increasing Woodland Cover (24 November)

[AQO 9164/11-16](#)

Recently, the Minister launched three new forestry grant schemes and allocated up to £17.4 million to support private woodland expansion and the sustainable management of existing woodland

under the rural development programme for 2014-2020. The schemes are the forest expansion scheme, the forest protection scheme and the woodland investment grant. The funding is sufficient to create 1,800 hectares of new woodland and sustain approximately 4,000 hectares of woodland created under previous programmes. It will make a small but positive contribution towards the aim of achieving 12% woodland cover by the middle of this century. Applications for planting this winter under the forestry expansion scheme must be submitted to Forest Service by 3.00 pm on 4 January.

[Top](#)

Minister of the Environment

Natural Environment Fund (10 November)

[AQO 9057/11-16](#)

The Minister was asked whether he has secured the continuation of the natural environment fund after May 2016. Conscious of the difficult operating environment and the fact that current funding arrangements finish on 31 March 2016, the Minister indicated that he would urgently consider the development of appropriate funding mechanisms to enable third parties to deliver key environmental outcomes from April 2016. The Minister announced a new environment fund that will cover two years, with possible extension for a third year. Funding will be allocated for the next financial year, 2016-17, with the potential for funding in future years subject to future Budget decisions made by the NI Executive and Assembly. That is a broader fund than the previous natural environment fund. The new fund will cover the delivery of a wider range of key environmental outcomes under two broad themes: ensuring good habitat quality, landscape and species abundance and diversity; and the promotion of health, well-being, resource efficiency and sustainable economic development, realising the full value of our environment. It will provide a more comprehensive, transparent and consistent funding mechanism by which the majority of environmental outcomes can be delivered by third parties under grant aid. Alongside the environment fund, he also recognised that DoE will continue to need to develop additional mechanisms to support the delivery of environmental priorities in 2016-17, and beyond, via funding to third parties. Stakeholders will be able to apply to the new NEF up until the 10 December. The Minister added that regrettably, built heritage projects will not be able to avail themselves of the environment fund.

[Top](#)

Ancient and Culturally Important Trees: Registry (10 November)

Topical Question 3, [AQT 3113/11-16](#)

The Minister stated that many of the legislative functions regarding the protection of trees, the management of existing trees and the consideration of further or future protection of trees through, for example, the making of tree preservation orders transferred to the councils on 1 April this year. Councils also have the powers to draw up local development plans, which can provide policy and guidance on the management and protection of trees as part of the development proposals. He also welcomed the initiative for the creation of a register of trees of national special interest and has instructed officials to consider the resources required to establish and maintain a register and to advise him who would be best placed to administer such a register.

[Top](#)