

## Northern Ireland Assembly News - October 2014

### Ministerial Statements

- [North/South Ministerial Council: Agriculture](#)

### Private Members' Business

- [Deep Geothermal Energy](#)

### Answers to Written Questions

- [Minister of Agriculture and Rural Development](#)
  - [Report on Lough Neagh](#)
  - [Slurry Spreading - Closed Period](#)
  - [Agri-Environment Schemes – Current and Future](#)
  - [DARD AFBI Research Work Programme](#)
- [Minister of Culture, Arts and Leisure](#)
  - [Sustainability of Commercial Fishing on Lough Neagh](#)
- [Minister of the Environment](#)
  - [Anaerobic Digestion](#)
  - [Gravel Extraction and EU Habitats Directive](#)
  - [Planning and Flood Risk](#)
  - [Advantages and Disadvantages of Fracking](#)
- [Minister for Regional Development](#)
  - [Flooding, Water Strategy & Flooding Report Recommendations](#)
  - [Update on A5](#)
  - [Reservoirs & Local Councils](#)
  - [Spend on Archaeological Digs](#)

### Oral Answers to Questions

- [Minister of the Environment](#)
  - [Rural Dwellers: Non-farming](#)
  - [October Monitoring Round: DOE Implications](#)
- [Minister for Regional Development](#)
  - [Belfast Rapid Transit System](#)
  - [Borewell Scheme](#)
  - [Public Transport: Growth](#)
- [Minister for Social Development](#)
  - [Boiler Replacement Scheme](#)

## Ministerial Statements

### North/South Ministerial Council: Agriculture (20 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/20-October-2014/#2>

Minister O'Neill summarised the point issues discussed at the 23rd meeting of the North/South Ministerial Council (NSMC) in the agriculture sector held on 1<sup>st</sup> October. The Council noted that implementation plans have been adopted by DAFM and DARD for the common agricultural policy reforms agreed in 2013. Ministers also noted that both Administrations are in the process of seeking approval from the Commission for their respective rural development programmes 2014-2020, with DAFM having submitted its draft programme in July 2014 and DARD due to submit its programme later this month. Ministers noted that DARD and DAFM have developed a protocol for the cross-border movement of larch logs infected with *Phytophthora ramorum*. It was noted that an all-Ireland Chalara/ash dieback conference took place in May 2014 and that DARD and DAFM are in the process of summarising stakeholders' responses to key questions. That should assist in informing future policy development. Ministers agreed the provision of proactive support by DARD and DECLG for LEADER cooperation activities, including a specific focus on North/South cooperation. The Council welcomed the intention of the steering committee on cross-border rural development to proactively promote the development of rural recreation as a key driver in successful rural regeneration. The Council agreed to hold the next agriculture sector meeting in spring 2015.

[Back to Top](#)

## Private Members' Business

### Deep Geothermal Energy (6 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/06-October-2014/#10>

Members debated and passed a motion: *That this Assembly notes the potential that deep geothermal energy has to meet the heating and electricity needs of thousands of households; recognises the potential it has to reduce our reliance on fossil fuels; and calls on the Minister of Enterprise, Trade and Investment to ensure that appropriate legislation and incentives are in place to support the development of this industry.* The proposers highlighted the need to move away from our over-reliance on fossil fuels and make the most of the opportunities that present themselves to us in the form of clean, green and sustainable sources of energy. Geothermal energy is an environmentally friendly, sustainable energy source that should be an integral part of the mix of energy sources we have. In her response to the motion Minister Foster stated that *deep geothermal energy, both for power and heat, is a low-carbon sustainable resource that has the potential to play a role in our future energy mix, although, at present, it does not feature in our energy mix.* She added that electricity generation from deep geothermal energy is eligible for incentives in the form of renewables obligation certificates, although no schemes have come forward thus far. She did however acknowledge that the lack of legislation and corresponding regulatory system may be a potential barrier to the development of deep geothermal energy in Northern Ireland.

[Back to Top](#)

## Answers to Written Questions

### Minister of Agriculture and Rural Development

#### Report on Lough Neagh (17 October)

[AQW 37014/11-15](#)

The Minister revealed that the report of the Cross Departmental Working Group on Lough Neagh was published on 5 June 2014 and can be viewed on the Department's web site at: <http://www.dardni.gov.uk/potential-for-bringing-lough-neagh-into-public-ownership.doc>. The Cross Departmental Working Group are currently considering a revised, more representative public management structure for the Lough, incorporating both operational and strategic activity; DARD is taking the lead in this work and the Minister has asked that proposals on the way forward be brought to her by autumn this year.

[Back to Top](#)

### **Slurry Spreading - Closed Period (17 October)**

[AQW 36901/11-15](#)

The Minister outlined the steps DARD is taking to ensure that every farm business is aware of the restrictions in place on slurry spreading during the closed period. The Nitrates Action Programme (NAP) Regulations place restrictions on spreading slurry and include a closed period for spreading from 15 October to 31 January. When the NAP was first introduced in 2007, DARD published a comprehensive guidance document which was sent to all Farm Businesses. Press articles are regularly issued on the various aspects of the NAP, including the closed period. Every year an article is published highlighting the dates of the closed period and encouraging farmers to plan ahead with slurry spreading operations. The most recent article was published on 12 September 2014. DARD also provides comprehensive advisory support and training for farmers on the NAP. Since the NAP was introduced some 620 NAP related training events have been delivered by CAFRE and were attended by 10,263 farmers. In addition, a range of 5 online calculators are available to help farmers manage slurry, manures and chemical fertilisers effectively and meet the NAP requirements. DARD's Code of Good Agricultural Practice, published in 2008, also includes detailed advice on slurry management including storage and spreading. In 2011, following the introduction of the second Nitrates Action Programme for 2011-2014, an updated leaflet on the NAP Regulations was issued to all farm businesses. Given this extensive communication, the Minister felt that the closed period is now well established in farming practice.

[Back to Top](#)

### **Agri-Environment Schemes – Current and Future (3 October)**

[AQW 36372/11-15](#)

The Minister outlined the six agri-environment schemes currently in operation, namely; the Habitat Improvement Scheme (HIS); the Countryside Access Scheme (CAS); The Environmentally Sensitive Areas Scheme (ESA); the Countryside Management Scheme (CMS), the NI Countryside Management Scheme (NICMS) and the Organic Farming Scheme (OFS). It is intended that approximately £60m of the Rural Development Programme 2014-2020 budget will be used to fund existing agri-environment agreements.

[Back to Top](#)

### **DARD AFBI Research Work Programme (3 October)**

[AQW 36094/11-15](#)

The Minister outlined the status of the DARD Directed AFBI Research Work Programme 2014/15. DARD's is continuing to fund a portfolio of research in 2014/15 via the DARD Directed AFBI Research Work Programme addressing the Department's evidence and innovation needs relating to (1) performance in the market place (2) social and economic infrastructure in rural areas (3) animal and plant health & animal welfare and (4) sustainable environment. DARD is also advancing the processes for preparing the DARD-directed AFBI Research Work Programme for 2015/16.

[Back to Top](#)

### **Minister of Culture, Arts and Leisure**

#### **Sustainability of Commercial Fishing on Lough Neagh (10 October)**

[AQO 6763/11-15](#)

The Minister provided her assessment of the sustainability of the commercial fishing of Lough Neagh. She stated that the long term sustainability of the Lough Neagh commercial fishery is a key priority for DCAL. The fishery makes a significant contribution to the local economy and some three hundred families around the Lough derive income from it. The Minister has commissioned AFBI to undertake further research on fish stocks throughout the catchment. AFBI's work provides an important scientific basis to DCAL's role in the conservation and protection of the fishery and will inform the development of the Lough Neagh Fishery Management Plan. There has already been extensive work carried out on salmon and eel stocks and a suite of conservation measures are already in place in respect of these species. She stated that there is currently no scientific evidence on other fish stocks that would confirm that any factors, including commercial fishing, are having a detrimental effect on stocks. AFBI is currently carrying out a research project on Lough Neagh that will provide information on the location and population levels of all fish species in the Lough. AFBI and DCAL are also carrying out research into commercial fishing methods on the Lough and the potential impact this may have on stocks. The habitat in and around Lough Neagh is important and DCAL is undertaking habitat survey work on the tributaries flowing into Lough Neagh. This will

identify areas where poor habitat is limiting fish stock levels and where further remedial work is required. The Minister concluded by stating her concern at the potential detrimental impact on fish stocks of sand dredging in Lough Neagh and her Department is in discussions with other Government Departments and stakeholders on the need to regulate such activity.

[Back to Top](#)

## **Minister of the Environment**

### **Anaerobic Digestion (10 October)**

[AQW 36365/11-15](#)

The Minister provided details of the development of Anaerobic Digestion (AD) in NI in recent years. According to DOE records, 3 applications for centralised AD plants have been issued in the last 5 years. The majority of applications for AD plants do not specify whether it is for a farm based AD or a centralised AD, and some applications whilst not specifically described as being centralised may accept residues and feedstock from external sources. Overall some 113 applications for Anaerobic Digestors have been approved in the last 5 years, there are also 21 live cases for Anaerobic Digestors as at 31 August 2014.

[Back to Top](#)

### **Gravel Extraction and EU Habitats Directive (10 October)**

[AQW 36406/11-15](#)

The Minister clarified his future plans for dealing with matters relating to planning control, gravel extraction and the EU Habitats Directive. All major and local developments will be dealt with by councils under the new planning system. It is anticipated that following the implementation of the Review of Public Administration in 2015, the majority of minerals applications will be dealt with by councils and DOE officials are currently engaging with the Local Government sector to establish how best to process these types of applications post transfer of planning powers. Any regionally significant development proposals will be determined by DOE. The Habitats Directive will be fully considered in the processing of applications where appropriate.

[Back to Top](#)

### **Planning and Flood Risk (10 October)**

[AQW 36410/11-15](#)

The Minister was asked what preventative measures will be examined where planning approvals are issued in areas prone to surface water flooding. Further to publishing Revised PPS 15, the Minister advised that planning approvals will not generally be forthcoming in areas of surface water flood risk which also coincide with river and coastal flood plains. In areas of surface water flood risk outside of flood plains, development proposals will be carefully assessed to ensure that there are adequate means of mitigating and managing the flood risk to the new development and to nearby areas. The policy sets out the circumstances requiring a developer to submit a drainage assessment. Generally these relate to specified thresholds, for example residential development of 10 dwellings or more. A drainage assessment is also required for most development in areas where there is evidence of a history of surface water flooding. The drainage assessment must detail appropriate preventative measures; for example raising finished floor levels of the building or using various flood proofing methods of construction. Drainage assessments will be subject to consultation with DARD Rivers Agency or other relevant bodies and this will inform the conditions to be attached to any grant of planning permission. Where a drainage assessment is not required by the policy, greater onus is placed upon the developer to assess flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site. This applies particularly in areas of potential for surface water flooding, as identified by the Strategic Flood Map. Irrespective of the type of flooding, preventative measures aimed to reduce flood risk are secured through the planning system prior to, rather than subsequent to, any grant of planning permission.

[Back to Top](#)

### **Advantages and Disadvantages of Fracking (10 October)**

[AQW 36326/11-15](#)

The Minister was asked what research he has commissioned during 2014 on the advantages and disadvantages of fracking in areas which would be designated as prime sites for exploratory drilling. He replied that he commissioned DOE Officials to cooperate with authorities in the ROI, on an extensive research programme, into the environmental impacts associated with unconventional gas exploration and extraction. The research programme is being funded by the EPA, the Department of

Communications Energy and Natural Resources and DOE. The research programme has been designed to produce outputs that will assist regulators in NI and ROI in fulfilling their statutory roles regarding any potential hydraulic fracturing activity. The research programme will involve five projects: Baseline assessment of water; Baseline assessment of seismicity; Assessment of air quality; Examination of impacts and mitigation measures; and Examination of the regulatory framework. The research will examine case study areas with the potential for shale gas, such as the current licensed area in Fermanagh. The research commenced in August 2014 and is expected to report in the latter part of 2016.

[Back to Top](#)

## **Minister for Regional Development**

### **Flooding, Water Strategy & Flooding Report Recommendations (24 October)**

[AQW 37201/11-15](#)

The Minister provided a number of updates on Inter Agency Flood Investment and Planning Group; the Water Strategy; and the progress on PEDU 'Review of the Response to Flooding in June 2012' Report recommendations. The Flood Investment and Planning Group provides a co-ordinated approach to the identification of flooding issues to be addressed on a multi-agency basis. The Group has been in existence for just over a year and provides a forum to focus on integrated solutions to flooding issues that are not entirely the responsibility of one organisation. The work of the Group is ongoing and includes the coordination of investigations and development of flooding solutions at a number of locations across Northern Ireland. The consultation on a Long-Term Water Strategy for Northern Ireland ended on 10 October. DRD is currently reviewing the Strategy in the light of comments received and will bring a draft consultation report to the Committee for Regional Development in December 2014. Subject to Executive approval, the aim is to publish the final Strategy in March 2015. DARD is the lead Department for coordinating the response to the thirty-one recommendations contained in the PEDU Report. DARD has advised that twenty seven of the recommendations are now substantially complete. Work continues on four of the remaining recommendations, with good progress being made on the provision of flood warning and informing and the progression of the business case for Individual Property Protection. Work also continues on the development of improved electronic communication of the Flooding Incident Line.

[Back to Top](#)

### **Update on A5 (17 October)**

[AQW 36584/11-15](#)

The Minister provided an update on the future of the A5 road. Following on from the successful legal challenge in 2013 to the A5 Western Transport Corridor, four reports have been developed to assess any impacts on all designated environmentally sensitive sites (nine in total) in the vicinity of the scheme and, where appropriate, mitigation measures are proposed. A public consultation exercise on three of these reports has now been completed, with a total of 13 responses received covering a range of issues. The fourth report, on the Tully Bog Special Area of Conservation, will be published for consultation during October 2014. Together these reports and all consultation responses received will be taken into account as the scheme progresses.

[Back to Top](#)

### **Reservoirs & Local Councils (17 October)**

[AQW 36108/11-15](#)

The Minister stated that NI Water has made a commitment to offer redundant reservoirs to the public sector in the first instance in order to determine whether there is any interest from that sector, prior to advertising them for sale on the open market. A public sector trawl has now been completed in accordance with the Department of Finance and Personnel's Disposal of Surplus Public Sector Property in Northern Ireland guidance document. Several expressions of interest have been received from local councils as well as other government departments. NI Water will be meeting with interested parties over the next few months with a view to progressing the sale of these reservoirs.

[Back to Top](#)

### **Spend on Archaeological Digs (3 October)**

[AQW 35953/11-15](#)

The Minister detailed how much his Department has spent on archaeological digs in each of the last three years. Details of DRD's spend on archaeological works in each of the past three years are set out in the table below.

Year	Spend on archaeological works (£K)
2011/12	95.0
2012/13	694.2
2013/14	1,151.9
2014/15 (to date)	343.2

These figures include the costs of archaeological investigation carried out in advance of the road construction, archaeological works carried out during the road construction contract and the post excavation process.

[Back to Top](#)

## Oral Answers to Questions

### Minister of the Environment

#### Rural Dwellers: Non-farming (13 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/13-October-2014/#6>

Question 3 (AQO 6837/11-15)

The Minister was asked how DOE is engaging with rural communities regarding the right of non-farming rural dwellers to build and live in the countryside. As part of the development of planning policy statement (PPS) 21, an independent working group (IWG) was established to consider the issue of non-farming rural dwellers. The IWG reached a number of conclusions, including: *"Planning policy should not create a special category for the non-farming rural dweller. Planning decisions for single houses should not be determined on the basis of kinship, connection or occupation"*. The previous Minister of the Environment again considered this issue in 2013 as part of his review into the operation of PPS 21. As part of the review, the advice was reiterated that the term "non-farming rural dweller" is difficult to interpret and define and should not, therefore, be used to create a special category of planning policy. DOE also recently consulted upon a draft strategic planning policy statement (SPPS) for Northern Ireland. The SPPS consolidates and, where necessary, updates existing policy provisions set out within the current suite of planning policy statements, including those in PPS 21, 'Sustainable Development in the Countryside'. As part of this process, the Minister gave an undertaking to the Assembly that the SPPS should adequately meet the needs of current and future generations of farming and non-farming rural dwellers seeking permission to build in the countryside. Officials are analysing all the responses and a synopsis will be made available to the Environment Committee. Once this exercise is complete, he will decide on the final policy direction in respect of non-farming rural dwellers and the SPPS overall.

[Back to Top](#)

#### October Monitoring Round: DOE Implications (13 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/13-October-2014/#6>

Question T5 (AQT 1595/11-15)

The Minister was asked to outline the impact and implications of the October monitoring round on his Department. He replied that DOE currently has a range of actions to deliver in-year 4.4% baseline reductions. They include the following measures: ceasing to fill vacant posts, which is 167 full-time equivalent posts; ceasing the use of contract and temporary workers; reductions in general admin expenditure across all business areas of the Department; utilisation of an in-year reduced requirement on the ring-fenced coastal communities fund; postponement of planned procurements; curtailing spend on a number of contracts; reducing grants for a range of programmes, unfortunately; and reducing the number of lower-priority environmental programmes funded. He also, unfortunately, has to stop funding to any new projects or initiatives. DOE has conducted a review of budgets across all business areas, and the measures identified to deliver the in-year cuts

are those deemed to lessen the impact on the DOE's ability to deliver public services. However, the impact of the cuts on DOE's programmes is magnified because of the inability of DOE to cut local government grants in-year. That means that the impact of such percentage cuts falls disproportionately and unfairly on core departmental programmes. As part of October monitoring, he put forward a bid of £0.9 million to seek the reinstatement of part of the reductions made in June and requested that the local government grants be excluded from any reductions. Unfortunately, the issue has not been addressed, which means that funding for core departmental work in DOE has been disproportionately and unfairly reduced.

[Back to Top](#)

## Minister for Regional Development

### Belfast Rapid Transit System (21 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/21-October-2014/#4>

Question 3 (AQO 6882/11-15)

The Minister provided an update on the Belfast rapid transit system. The implementation phase of the Belfast rapid transit project began in May of this year. Work is progressing well on the construction of a new 520-space park-and-ride facility at Dundonald. It is anticipated that this will be operational in December and be served by existing Translink services prior to Belfast rapid transit becoming operational in 2017. Work is also progressing on the sections of the Belfast rapid transit route on the Upper Newtownards Road between Sandown Road and Knock Road, and on the Falls Road between Grosvenor Road and Whiterock Road. In May of this year, the Minister committed funding to enable the procurement of the rapid transit vehicles to commence. It will take approximately three years from procurement to delivery of the proposed fleet of 38 vehicles. The new Belfast rapid transit system is scheduled to become operational in 2017, subject to the completion of the necessary statutory processes and the availability of finance. The Minister subsequently added that DRD intends to extend the network to the north and south of the city subject to the success of the pilot routes and the availability of funding.

[Back to Top](#)

### Borewell Scheme (21 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/21-October-2014/#4>

Question 4 (AQO 6883/11-15)

The Minister revealed that the rural borewells scheme (for those not connected to the public water supply), funded by DRD and administered by the DARD assisted: 24 properties in 2012; 38 properties in 2013-2014; and the 2014-15 scheme is scheduled to assist approximately 28 properties. The Minister anticipates that a total of 90 householders will have received a new borewell and/or treatment by the end of the third year of the scheme and have the assurance of a quality, safe-to-drink water supply for the first time.

[Back to Top](#)

### Public Transport: Growth (21 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/21-October-2014/#4>

Question T5 (AQT 1645/11-15)

The Minister revealed that, given the financial pressures he is under, he remained very positive about the progress that public transport has made over the last three-plus years. Bus numbers continue to be strong, with Metro showing the sort of steady progress that reflects its growing reliability and popularity. Rail, however, has been the 'star performer' with rail travel last year passing through the 13 million passenger journey barrier, taking it to levels not seen since the 1960s. Further significant progress has been made on rail this year at the midpoint, and he expects that we may get close to 14 million journeys by the end of this financial year.

[Back to Top](#)

## Minister for Social Development

### Boiler Replacement Scheme (21 October)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-14-15/21-October-2014/#5>

Question T4 (AQT 1654/11-15)

The Minister provided up-to-date figures on the number of people in Northern Ireland who have benefited from the boiler replacement scheme. Across Northern Ireland, over 15,800 homeowners have benefited. The scheme offers owner-occupiers a grant of up to £1,000 to replace inefficient

boilers, is available to those who earn less than £40,000 a year and have an inefficient boiler of at least 15 years and is dependent on total gross income. Replacing an old, inefficient boiler with a new condensing boiler can, in an average three-bedroom, semi-detached house, see savings of up to £300 to £350 a year. Since the scheme commenced on 3 September 2012, a total of £12 million has been allocated and has been spent at a rate of £4 million a year for the three years up to 2014-15. An extra £6 million was obtained from European regional development funding, spread across the 2013-14 and 2014-15 financial years.

[Back to Top](#)