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Private Members' Business

Onshore Petroleum Licensing and Drilling (13 October)

The Assembly [debated](#) and resolved a motion: *That this Assembly recognises the moratoria, in various forms, on fracking in England, Scotland and Wales and the ban on fracking in the Republic of Ireland; notes that this motion builds on the 2015 strategic planning policy statement presumption against the exploitation of unconventional hydrocarbon extraction in Northern Ireland; acknowledges its responsibility to protect public health and the environment; and calls on the Executive to instigate an immediate moratorium on petroleum licensing for all exploration for, drilling for and extraction of hydrocarbons until legislation is brought forward that bans all exploration for, drilling for and extraction of hydrocarbons in Northern Ireland.* Ultimately not every party signed up to the motion. Speaking in the debate the Minister for the Economy stated that while she understood that the motion had wide support across the Chamber and that petroleum development is a very emotive subject. As Minister, she wanted to ensure that any decision that she recommend to the Executive on future policy is based on robust evidence and presents the best way forward for NI as a whole. She added ‘ *At this stage, I cannot support the motion as presented. I have taken legal advice on the matter and have been advised that the course of action proposed in the motion would, most likely, be subject to challenge. Accordingly, my view is that the appropriate way forward is to undertake the Northern Ireland-specific research that my Department is in the process of procuring. As Minister with responsibility for this area, I am asking for the time and space to allow officials to develop evidence-based policy proposals that will be subject to a rigorous policy development process. I will then ask the Executive to take a fully informed decision.*’

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Adjournment Debate

Protecting the Knock Iveagh Historic and Archaeological Site (6 October)

Knock Iveagh cairn sits on the summit of Knock Iveagh ridge, is a scheduled historic monument protected by law, with excavation of the site in the 1950s recorded it as being from the Neolithic period, between 4000 BC and 3000 BC. It was a burial site and an inauguration site for Irish kings in the medieval period. It is a resource for understanding the Neolithic period, the Bronze Age and the Iron Age in Ireland and the cairn is regarded as of national importance in understanding the Neolithic period in Ireland. Yet, despite it being a nationally important and scheduled site, permission was given for a wind turbine to be erected on it in 2013 without an archaeological study or any engagement with the historic environment division and no environmental impact assessment was done. In 2017, the Historic Monuments Council which is a statutory adviser to the historic environment division wrote to DFI to ask for the planning permission to be revoked. However, it was not. Since 2017, there has been further digging on the site. Members [debated](#) the system failures that allowed this to happen. In response the Minister stated that her officials will continue to monitor the situation there and ensure that the relevant statutory policy protections for the site are respected and, more importantly, upheld. She added that we all have a role to play in the preservation of a historic society, historic communities and, indeed, the artefacts that we need to protect and cherish for future generations.

Answers to Written Questions

Minister of Agriculture, Environment and Rural Affairs

Extension of Turf Cutting Operations (1 October)

The Minister was asked whether any decision has been made by his Department to extend a turf cutting operation at Portglenone; and if so, whether that decision was subject to climate or other environmental assessments. He [replied](#) that the extraction of peat at the Newferry site near Portglenone has been ongoing under commercial lease arrangements between the Department and Bulrush Horticulture Ltd (BHL), since 1979. The future arrangements for the site are currently

under review by the Department. This includes the Department's consideration of an outline proposal from BHL, which places a strong emphasis on site restoration works, as an integral part of a further tenancy period. DAERA will take account of the carbon sequestration potential and wider environmental policy objectives, in reaching its decision on the Newferry site.

Future of Greening Requirements (5 October)

The Minister was asked a series of questions about Greening Payments following his announcement that Greening requirements for the Basic Payment Scheme will be discontinued. He [replied](#) that Greening requirements of Crop Diversification and Ecological Focus Areas (EFAs) have had very little or no impact on farming practice in Northern Ireland. EFA obligations are currently being met largely by farmers declaring existing features which are already protected under cross compliance. Therefore, he reached the conclusion that the Greening requirements of Crop Diversification and EFA are not delivering any identifiable environmental benefits here and should be discontinued from the beginning of the 2021 Scheme Year. The Minister has decided that rather than persist with a failed initiative, it is much better to focus our efforts and resources on developing a set of bespoke environmental measures that will ensure the delivery of environmental outcomes tailored for Northern Ireland and which are adequately funded.

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EU Habitats Directive (6 October)

The Minister [stated](#) that DAERA has introduced a range of conservation measures to support the achievement of conservation objectives for our suite of European sites, through site-specific management measures under the Environmental Farming Scheme and the Management Of Sensitive Sites scheme. Further management measures are being implemented through the INTERREG VA programmes. These are collectively contributing to the delivery against the PfG target to bring our protected areas under favourable management, management to "correspond to the ecological requirements of the natural habitat type", as required under the EU Habitats Directive. The recently published Article 17 report (2019), provides a formal report on implementation of the Habitats Directives indicates that majority of habitat and species features protected under the Directive continue to be in unfavourable conservation status. DAERA are continuing the work to complete Conservation Management Plans for our Special Areas of Conservation, to identify the necessary measures and better target all the actions required to improve condition on these sites. This will include working to address wider pressures and threats to biodiversity on our European sites and other priority habitats, such as that posed by excessive nitrogen deposition.

Young Persons' Behaviour and Attitudes Survey (6 October)

The Minister gave his [assessment](#) of the results of the recent Young Persons' Behaviour and Attitudes Survey which shows less than a quarter of our young people feel we are looking after our environment. The Minister stated that he understood that young people are invested in, and fully aware of the huge challenges facing our fragile environment. He added that he was fully aware our environmental and climate change challenges mean it is imperative that we seek effective approaches for engaging young people and greater environmental awareness, knowledge and skills are central to a green recovery from Covid19 pandemic.

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Carrier Bag Levy (6 October)

The Minister provided an [assessment](#) of the Carrier Bag Levy. He stated that DAERA has one of the most extensive Carrier Bag levies in the UK as it includes bags of all materials. NI is the only jurisdiction in the UK that publishes annual validated statistics and uses the levy proceeds for environmental causes only. Since its introduction in excess of 1.5 billion bags have been removed from circulation and £32m has been reinvested in environmental projects. Statistics for 2019/20 show a reduction of 13.9% bags from the previous year and a 73.2% reduction from the introduction of the levy, delivering the seventh consecutive year of downward usage trends. The Minister added that we still have work to do to continue to change consumer and retailer behaviours and he was concerned that heavy duty reusable bags are now often the only ones for sale in many outlets and while regularly purchased, they are not reused as often as they should be and he was considering how best to proceed with the NI Carrier Bag levy to ensure that it delivers the best outcome for our environment.

Carbon Neutral Councils (6 October)

The Minister [outlined](#) the support DAERA provided to help local councils become carbon neutral. To date 7 projects across 6 councils have been supported to a value of £3.54M resulting in estimated CO2 savings of 8,807.21 tonnes

OEP – Staffing Requirements (6 October)

The Minister [stated](#) that the UK Government has previously indicated that the overall staffing requirement for an Office for Environmental Protection (OEP) will be 80-120. The OEP staff dedicated to undertaking its statutory functions in Northern Ireland could be affected by a range of factors but would be expected to be broadly proportionate. However, the OEP will also have access to specialist resources that could be deployed to advise on Northern Ireland cases as required.

OEP – Interim Arrangements (6 October)

The Minister was asked whether there are plans for interim arrangements to handle complaints in the event that the Office for Environmental Protection is not fully functional in Northern Ireland on 1 January 2021. He [replied](#) that delays to the Environment Bill's progress as a result of the Covid-19 crisis have made the aim of having the OEP fully functional by 1 January 2021 much more challenging. In preparation for the possibility that a delay may occur and, to that end, his officials are working closely with Defra counterparts on a range of issues, including the potential need for interim arrangements to handle complaints. Existing regulatory mechanisms will continue to operate after the end of the transition period with people also able to raise complaints through Departmental processes, the NI Public Services Ombudsman or via the judicial review process.

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Addressing Climate Change (7 October)

The Minister [stated](#) that climate change is his top priority and he remained fully committed to ensuring that Northern Ireland plays its full part in reducing our greenhouse gas emissions and adapting to our changing climate. The Minister outlined how DAERA ensures that NI meets the requirements of the UK Climate Change Act and contributes towards Programme for Government outcome 2 'We live and work sustainably protecting the environment'. DAERA also takes the lead in developing an overall UK pathway to Net Zero and ensuring NI participation at the UN Conference of the Parties conference in Glasgow next year. DAERA also co-ordinates cross departmental climate change work through the Future Generations Group and its Mitigation and Adaptation Sub Groups. Officials have also commenced work on scoping the options for the introduction of a NI Climate Change Bill and the Minister launched 'Green Growth' at the Assembly in June 2020, outlining his concept for a Green Growth approach for Northern Ireland.

Ruinous and Dilapidated Buildings and Neglected Sites (19 October)

The AERA Minister [outlined](#) the powers bestowed on local councils under the Clean Neighbourhoods and Environment to deal with ruinous and dilapidated buildings and neglected sites Dilapidation Bill to provide all district councils with a modern, fit-for-purpose Northern Ireland-wide enforcement regime to deal with the negative impact of dilapidated/dangerous buildings and neglected sites. It is intended to introduce the Bill to the Assembly in 2021 so that it completes its passage before the end of the current Assembly mandate.

Impact of Nitrates Directive Derogations (21 October)

Although Northern Ireland has been granted a derogation from the Nitrates Directive since 2008 (renewed every 4 years), the Minister [outlined](#) that evidence implies that the derogation is not exacerbating water quality problems.

Redirection of Greening Payments (21 October)

The Minister [stated](#) that on 10 September 2020 he announced his intention to incorporate the Greening payment into the overall BPS entitlement unit values. This funding will, therefore, not be directed specifically to environmental aspects of the Basic Payment Scheme.

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Rights of Way Access (21 October)

The Minister [stated](#) that DAERA is currently reviewing legislation related to access to the countryside, with a focus on optimising the benefits and opportunities for outdoor recreation. The

current review will consider the suitability of the current Access to the Countryside (NI) Order 1983 which includes the policies associated with the assertion of Public Rights of Way.

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Minister for Communities

Impact of Water and Sewage Crisis on Social Housing Provision (5 October)

The Minister for Communities was asked what implication the Department for Infrastructure and NI Water's identified water and sewage crisis will have on the target number of new builds needed to meet housing stress. She [replied](#) that the potential implications for the development of social housing schemes due to the identified issues affecting the water/sewage infrastructure is a concern for me, particularly given the increasing levels of housing stress. She stated that presently there are approximately nine schemes at risk due to capacity issues in the water/sewage network. These total more than a thousand social and affordable units. The minister has asked the Housing Executive to carry out a detailed analysis of the areas of housing need that may be impacted by the water infrastructure issue. Departmental officials have and will continue to engage with the DfI and Housing Executive colleagues to establish options to minimise risks.

Minister for Infrastructure

Decarbonisation of the Rail Network (1 October)

The Minister [revealed](#) that she has asked Translink to investigate options for decarbonising the rail network and this will involve looking at electrification, hydrogen or a combination of both. The replacement of old rolling stock with newer, more sustainable technology will not only deliver an enhanced and more attractive transport option, but will also move us closer towards our goal of zero carbon emissions. New rolling stock must be future proofed to take into account any potential electrification of the route between Belfast and Dublin. The timescales for potential electrification are long term, so any rolling stock option must have the capability of being easily converted to full electric operation, or any suitable alternative zero emission propulsion type. Future propulsion types may include bi-mode, tri mode or hybrid, with the eventual transition to full zero emissions operation. However, given the severe budget pressures facing her Department during COVID-19 and the funding required to ensure the viability of Translink, there will be significant challenges in providing new public transport infrastructure without additional funding from the Executive.

Impact of climate change on flood risk (1 October)

Guidance issued in February 2019 – 'Technical Flood Risk Guidance in relation to Allowances for Climate Change in Northern Ireland' is used by officials to inform allowances to be made for Climate Change, in the design of our flood alleviation and drainage infrastructure schemes. The Minister [explained](#) that guidance looks at allowances to be applied in relation to potential increases in river flood flows, sea level rise and surface water flooding due to higher rainfall intensities. The allowances set out in the guidance are also incorporated into a comprehensive suite of flood maps, developed by my DfI, which are publicly accessible through 'Flood Maps NI'. This information is key in providing flood risk advice to Planning Authorities, to inform their development decisions and Local Development Plan process. My Department has also developed very effective emergency response arrangements with our multi agency partners to improve our preparedness for any increase in flooding events as a result of climate change.

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Spend on Blue/Green Fund (1 October)

The Minister gave an [update](#) on the schemes that have successfully bid for funding from the Blue/Green Fund to date. On 10 June 2020 she announced £20 million of funding for blue/green infrastructure to be used to promote active travel and support the transformation of communities by helping shape places for everyone to live in the new normal. To date, £2.8 million of capital funding has been allocated to 4 councils to develop six greenway projects that are ready to be taken forward for construction in 2020/21, of which some £1.1m is expected to be spent in 2020/21. This funding will be provided on a match funding basis and be subject to councils returning robust business cases to the Department to ensure Value for Money. The Minister added that she has also

allocated funding from the Fund to support cycleways, social distancing projects and blue infrastructure. Further funding announcements will follow shortly.

Catchment-centred Approach to Flood Management (5 October)

The Minister gave her assessment of the more flexible, resilient, catchment-centred approach to flood management of the DEFRA's new policy statement, the Flood and Coastal Erosion Risk Management Strategy. She stated that the Management Strategy policy statement, published in July 2020, sets out Defra's long-term ambition of increased resilience to future flood and coastal erosion risk, and reduced risk of harm to people, the environment and the economy. While only applicable to England, it mirrors a number of plans, strategies and areas of work being up by DfI officials including the Executive's Sustainable Water - A Long Term Water Strategy, the delivery of updated draft flood risk management plans, due for publication in December 2020, and the Living With Water Programme. In addition, her Department has been working with DAERA on coastal erosion risk management issues. A draft Coastal Forum work programme has been developed, a key objective of which is to undertake a coastal change assessment of the North's coastline.

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Habitats Regulations Assessments – Competent Authorities (5 October)

The Minister for Infrastructure [clarified](#) who are the Competent Authorities in Northern Ireland responsible for undertaking Habitats Regulations Assessments, as required under Article 6(3) of the EU Habitats Directive. The Conservation Regulations do not set out a definitive list of competent authorities but rather defines a competent authority in the context of a body's public duties in relation to authorising (consenting, permitting, licencing etc.) a plan or project that would be likely to have a significant effect on a designated European site. In terms of the planning system this will normally be the authority determining an application for planning permission. In the majority of cases this will be a district council in its role as local planning authority as well as the DfI for regionally significant or called-in applications; and the Planning Appeals Commission for any permission granted on foot of an appeal. DfI are also the competent authority in relation to Roads, Rivers and Drainage developments which attract the requirements of the Habitats Regulations.

Regional Strategic Transport Network Transport Plan (12 October)

The Minister for Infrastructure [outlined](#) the timeframe for publishing the Regional Strategic Transport Network Transport Plan. The RSTNTP will set out future investment and improvement for our strategic transport networks, by road, rail and bus, and improve connectivity for the benefit of our economy and communities. Her Department is currently progressing the RSTNTP to draft report stage in order to allow it to be presented for public consultation. Timescales for the Transport Plan have been affected by the COVID-19 emergency which has impacted upon staff resources and work priorities. The Minister intends to publish the draft RSTNTP for public consultation in late 2021, with a view to issuing the finalised Plan in spring 2022.

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Oral Answers to Questions

Minister of Agriculture, Environment and Rural Affairs

Food Safety Standards: US Trade Deal (12 October)

The Minister was asked what guarantee he has sought from the British Government that there will be no change in food safety standards for imported meat and poultry as a result of a trade deal with the United States of America. He [replied](#) that he has been very clear that all trade agreements, including one with the United States of America, must uphold the current high standards for food safety in the UK and that all imported products must meet those standards. He has written to the DEFRA Secretary of State on the matter and will continue to make representations as the negotiations progress. The Minister has received a response providing reassurance that legal protections for UK standards remain in place and that the UK Government are committed not to compromise on standards in trade agreements.

Waste Disposal of non-recyclable goods (12 October)

The Minister was asked, in considering the outcome of the consultation on future recycling and separate collection of waste of a household nature, whether his Department will review the projected waste disposal processes of non-recyclable goods. In [responding](#), the Minister stated that the best way to deal with our waste is to prevent it being created in the first place. Following the principles of the waste hierarchy, where waste cannot be prevented, resources should be reused; and, where resources cannot be reused, we seek to produce a high quality recycle, which, where possible, is put back into our economy. However, for the foreseeable future, some waste will be sent for residual waste treatment, to produce energy from waste or, indeed, to landfill. He added that the recent consultation is the first stage of the policy development process. Alongside that, he is also considering the future waste infrastructure needs for Northern Ireland. Back in 2010, the Department brought out a policy indicating that we wanted to reach 50% recycling rates by 2020, which has been achieved. While, future UK legislation will increase this target to 65% by 2035, the Minister stated that he would like to 'push it to 70%'.

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Minister for Infrastructure

Belfast to Dublin High-speed Rail Line and All-island Rail Network (6 October)

The Minister provided an [update](#) on discussions with Minister Ryan on a feasibility study of a potential high-speed rail connection North and South. The study will provide a high-level analysis of the potential of high- and higher-speed rail to support the wider outcomes and priorities of the Irish Government and the Northern Ireland Executive. It will allow for the consideration of options from the electrification of existing lines to bring maximum speed up to approximately 120 mph to the development of a new high-speed connection on the corridor. The Minister added that she also wanted to see rail connectivity pushed across Northern Ireland and public transport as a cornerstone of the Executive's economic and climate action strategy.

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