

Assembly News - November/ December 2013

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Executive Committee Business

Fishing Boats (Satellite - Tracking Devices) Scheme (NI) 2013 (5 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/05-November-2013/#4>

The Minister of Agriculture and Rural Development sought and gained approval for the passage of the *Fishing Boats (Satellite - Tracking Devices) Scheme (NI) 2013* be approved. As part of the requirements of the common fisheries policy, fishing vessels over 12 metres in length must fit satellite-tracking devices and transmit their position every two hours to the fishing authorities. That has been a requirement for vessels over 15 metres in length since 2005 and for smaller vessels since 2011. Larger vessels have been using such equipment since 2006, while smaller vessels have yet to be equipped. In the context of the provision of strategic assistance to the fleet to help it to adapt to change, the Minister decided that it was appropriate that DARD should fund not just the first-time installation for smaller vessels but the replacement of the older systems for larger vessels. Funding has therefore been secured from Europe for 90% of the cost, with 10% coming from DARD. The cost of the systems will be around £1,500 per vessel. The scheme will be launched 1 December.

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Written Ministerial Statement

Marine Protected Areas (18 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/18-November-2013/#10>

The Minister of the Environment informed members that the Marine Act (NI) 2013 creates new powers for DOE to designate Marine Conservation Zones (MCZs) in NI's inshore region to protect nationally important marine habitats and species. Section 20(7) of the Act places a duty on DOE to make a statement about the principles which it intends to follow when designating MCZs to help contribute to the creation of a UK MPA network. The NI MPA network will encompass a range of different types of protected areas including: Special Areas of Conservation for habitats of European importance; Special Protection Areas for seabirds of European importance; Areas of Special Scientific Interest for nationally important habitats and species; Ramsar sites for wetlands; Marine Nature Reserves for nationally important habitats and species. Strangford Lough MNR became a MCZ on enactment of the Bill. MCZs, along with existing protected sites in our marine environment, will contribute to achieving Good Environmental Status under the Marine Strategy Framework Directive by 2020 and deliver our contribution to the ecologically coherent network of MPAs under the OSPAR convention on the protection of the marine environment in the North East Atlantic. The following design principles will be used for MCZ selection: Representativity; Replication; Adequacy; Viability; Connectivity; Management; Best available science.

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Ministerial Statement

North/South Ministerial Council: Environment (3 December)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/03-December-2013/#1>

The Environment Minister updated Members on the outcome of eighteenth meeting of the North/South Ministerial Council in environment sectoral format held on 30 October 2013: The Council approved the terms of reference for an all-island air quality research study into the issue of airborne pollution from residential smoky coal combustion expected to be completed by May 2014; welcomed the publication of the revised waste management strategy, 'Delivering Resource Efficiency', in October 2013; noted publication of the 'All Island Bulky Waste Reuse Best Practice Management Feasibility Study'; noted that the NI carrier bag levy for single-use bags is to be kept at 5p, and legislation, if approved by the Assembly, will extend the cost to low-cost reusable carrier bags from April 2014; noted that the waste repatriation programme of work for 2013-14 has been agreed; noted that coordination continues between both jurisdictions in relation to preparations for the second-cycle river basin management plans under the EU water framework directive; welcomed the continued coordination in relation to the Clean Coast and Coastcare schemes and the coordination in relation to the symposium on 28 November 2013; noted that the Environmental Protection Agency (EPA) is currently finalising the terms of reference for a comprehensive research

study of the environmental impacts of hydraulic fracturing or fracking. It also noted that the NIEA's second state of the environment report is due for publication by the end of 2013.

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Committee Business

Report on the Inquiry into Comprehensive Transport Delivery Structures (4 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/04-November-2013/#2>

The Chairperson of the Committee for Regional Development sought and gained agreement for a motion: *That this Assembly approves the report of the Committee for Regional Development on its Inquiry into Comprehensive Transport Delivery Structures; and calls on the Minister for Regional Development, in conjunction with the relevant bodies, to implement the recommendations.* Mr Spratt went on to clarify that the Committee wanted to see more competition within the transport sector and highlighted the integral role that community transport organisations could have in a competitive sector. He further outlined concerns that had been raised by the Committee in the report, including the lack of transparency with regards to Translink accounts and the disproportionate allocation of departmental budgets between roads and public transport. In his response the Minister stated that there were 66.9 million bus journeys last year, which is up 300,000 on the previous year. There were 11.5 million rail journeys, which is an increase of 800,000. This year, rail journeys have continued to grow by a further 15%. Bus journeys are up again too, and he expected journeys to increase again by well over one million to take us beyond 80 million, which is a figure that many said we would never reach. He acknowledged however that only 14% of the capital budget is allocated to public transport, when the PfG target is 65% adding 'This is a failure of real significance'.

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Electricity Policy: Security of Supply (9 December)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/09-December-2013/#9>

The Chairperson of the Committee for Enterprise, Trade and Investment moved: *That this Assembly approves the first report of the Committee for Enterprise, Trade and Investment on its Review of Electricity Policy: Part 1 — Security of Electricity (NIA 145/11-15); and calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, the Northern Ireland Authority for Utility Regulation and the System Operator for Northern Ireland to implement, as applicable, the recommendations contained therein.* The Chair explained that the reason why they are debating the motion is that, from the end of 2015, the EU industrial emissions directive will result in the closure of three units at Ballylumford B station and reduced running hours for Kilroot power station. That is coupled with an ongoing fault on the Moyle interconnector with Scotland and the delay in the completion of the North/South interconnector. As a consequence, our surplus margin, which is the amount of electricity needed to ensure security of supply, will reduce from 600 megawatts to 200 megawatts from the start of 2016. The result will be that, if there is a prolonged outage of a major power plant, there may not be enough electricity during periods of peak demand to meet our needs. Six hundred megawatts is considered sufficient, but 200 megawatts is considered too low. The Committee's report demonstrates that there are alternatives to additional generation that could be considered. However, the Chair very much welcomed the idea that this review may have injected some urgency into the process to address the problem.

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Private Members' Business

Insulation: Housing Executive Properties (11 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/11-November-2013/#8>

Members debated and agreed a motion brought by Mr Easton (and amended by Mr Agnew): *That this Assembly calls on the Minister for Social Development to initiate a review of the range of insulation materials used in Housing Executive homes, to assess the heat retention properties of the materials used and to ensure that they are environmentally sustainable and provide value for money over their lifespan.* The motion was brought to the House by Mr Easton after he became aware through research carried out by the South Eastern Regional College and the National Insulation Association on around 20 Housing Executive properties in North Down. Through the research, it was

discovered that every property had serious flaws with their cavity wall insulation. The report on those 20 properties found a lack of proper cavity wall insulation in every case and a lack of proper loft insulation in some.

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Public Petition

Exploris (5 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/05-November-2013/#2>

Mr McCarthy presented a public petition to save Exploris containing the signatures of over 11,000 people demanding that the Assembly and different Departments provide regional funding and works with officers in Ards Borough Council to draw up a plan and a vision to enable Exploris to continue to operate in Portaferry as the Northern Ireland aquarium. The Speaker agreed to forward the petition to the Minister of the Environment and send a copy to the Chair of the Environment Committee.

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Answers to Written Questions

Minister of Agriculture and Rural Development

Bovine Tuberculosis (29 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/13-11-29.pdf> Page: WA 6

Bovine TB annual herd incidence has declined from its peak of 7.46% at 31 October 2012 to 6.47% at 30 September 2013. During 2013 to date there have been 1,021 new TB breakdowns compared with 1,214 in the same period in 2012, which represents a 15.9% reduction. During 2013 to date there have been 5,785 TB reactors removed to slaughter compared with 7,888 in the same period in 2012, which represents a 26.6% reduction. While this reduction is welcome DARD are not complacent and wish to see further progressive reduction in TB levels with the ultimate aim of TB eradication.

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Observatree Initiative (6 December)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/13-12-06.pdf> Page: WA 140

The Minister was asked whether Forest Service will work in partnership with the Woodland Trust in support of the 'Observatree' initiative. She replied that DARD is committed to tackling tree disease through a collaborative approach with a wide range of interests including the general public, farmers, landowners, environmental organisations and the industry in identifying and reporting possible tree disease symptoms. The ObservaTREE partnership includes British government bodies (Fera, Forestry Commission) the Woodland Trust and National Trust and aims to develop an integrated tree health warning system as a web based tree reporting tool. She added that DARD officials will continue to work co-operatively with the Woodland Trust and other partners, and with colleagues in the Department of Agriculture, Food and the Marine, to explore a range of web based tree health reporting mechanisms which have application on an all-Ireland basis.

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Minister of Enterprise, Trade and Investment

Electricity from Renewable Sources (8 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131108.pdf> Page: WA 248

The Minister outlined the plans in place to ensure that, by 2020, 40 percent of electricity is generated by renewable sources. The Northern Ireland Renewables Obligation (NIRO) is currently the main policy mechanism for incentivising renewable electricity generation and has successfully increased electricity consumption from renewables from 3 percent in 2005 to nearly 15 percent as of end September 2013. Support for renewable generation will continue through a feed in tariff when the NIRO closes in 2017. DETI has also developed an Offshore Renewable Energy Strategic Action Plan and a draft Onshore Renewable Electricity Action Plan (OREAP). Both plans aim to optimise the amount of renewable electricity generated from renewable sources in order to enhance security of supply, reduce carbon emissions and contribute to the 40 percent target by 2020. The onshore plan

is technology neutral, and as such, it is for the market to bring forward the most cost effective forms of renewable generation in the period to 2020.

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Moyle Interconnector (6 December)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/13-12-06.pdf> Page: WA 181

As a result of a cable fault, the Moyle Interconnector is currently operating at 250 Mega Watts, providing 50% of its normal transfer capacity. Mutual Energy, owners of the Moyle, are taking forward interim and permanent repair options for the interconnector, and these will be subject to consideration of environmental impacts and other consenting requirements. It is expected that the Moyle will be restored to full transfer capacity through completion of the interim repair during 2014, with the permanent repair to be completed in 2017.

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Minister of the Environment

Planning Applications for Minerals Extraction or Minerals Plant/Machinery (1 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131101.pdf> Page: WA: 36

The Minister was asked, in relation to planning applications for minerals extraction or minerals plant and machinery, how many of the planning applications currently being processed (i) are retrospective; and (ii) require an Environmental Statement. He replied that the Minerals Management Unit currently has a total number of 76 planning applications. Of this total, 55 applications are for mineral extraction or mineral plant and machinery. Of the 55 applications, 33 are retrospective and 8 applications are accompanied by an Environmental Statement.

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Hydroelectric Schemes: Fish Stocks (1 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131101.pdf> Page: WA 39

The Minister was asked what assessment has been made of the overall impact of hydroelectric schemes on fish stocks. He replied that when assessing the potential impact of a hydro power proposal either in isolation or in combination, NIEA consults widely with the government bodies responsible for protecting fish, fish habitats, and fish migration. NIEA also consults with the non-governmental bodies who represent anglers and angling clubs. Data held within NI on fish monitoring, fish passage, fishery and protected species habitat is assessed during determinations. If an activity or a combination of activities like hydro power plants were impacting or were likely to impact adversely in the future then NIEA and other Agencies have powers to either request further mitigation or take steps to revoke the licence. Recent research by AFBI, SNIFFER and SEPA has highlighted that well designed, sized, engineered and operated hydropower schemes have only a low impact on waterways, fish habitat, entrapment and migration. The Environment Agency for England is co-ordinating a research project on hydro power; the outcome of which aims to capture evidence on adverse or positive impacts of hydroelectric projects. The three key research areas are weir pools, fish protection screening, and the potential cumulative impact of schemes. A final report will be available during the latter part of 2014. NIEA are advisory members of this initiative.

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Value of Local Natural Assets (8 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131108.pdf> Page: WA 252

The Minister was asked whether he has considered measuring the value of local natural assets. He replied that NIEA is currently working in partnership with other Government Departments, businesses, NGOs and other stakeholders to develop an approach to measuring local natural assets. By 31 March 2014 NIEA intend to publish a framework document signposting a practical and integrated approach to valuing our environmental assets and the contribution they make to our economy and the health and well-being of our society.

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Peatlands: Restoration (15 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131115.pdf> Page: WA 404

The Minister was asked what targets have been set for peatland restoration and what resources will be allocated to carry out this work. The Minister replied that his predecessor wrote to the Minister for Natural Environment and Fisheries, Richard Benyon, on securing benefits from UK peatlands in

July 2013. In the letter he offered continued support to the further development of the Peatland Code including the identification of suitable peatland restoration projects. He also stated that DOE was working with DARD to help improve the natural capital of peatlands through implementation of agricultural policies. DOE have since supported the launch of the trial phase of the UK Peatland Code in September and emphasised the need for peatland restoration to be included in recent RDP consultation. DOE are currently working closely with DARD on the development of the new agri-environment schemes. Within DOE some resources have been allocated to peatland restoration e.g. planning regulation, research and survey, designated site management and partnership projects and helping develop the UK peatland code in NI and DARD agri-environment policies. However, more work is required before targets for peatland restoration can be set. DOE has commenced working with the devolved administrations to develop an EU Funding proposal under the LIFE Programme. The main focus of this bid across the administrations will be peatland restoration.

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Reusable Carrier Bags (29 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/13-11-29.pdf> Page: WA 55

DOE's research in this area has focused on the environmental consequences of not extending the carrier bag levy to low cost reusable bags. In these circumstances, the relatively low price of low cost reusable bags could lead some people to treat them as single use bags – and discard them prematurely, with significant adverse impact on the environment. Emerging evidence from Phase 1 appears consistent with this conclusion. That evidence reveals a significant fall in single use bag numbers – but a huge increase in sales of low cost reusable bags. DOE had anticipated that the levy on single use bags would generate an increase of approximately 70% in annual sales of low cost reusable bags, in the period before the levy was extended to cover them. However data supplied by a number of retailers operating across NI suggest increases in excess of 850% in the first six months following the introduction of the single use carrier bag levy. This data comes from a total of 168 outlets across the region and shows that since April this year those retailers have sold over 1.5 million re-usable bags that are not currently subject to the levy. Moreover a recent local survey, carried out in June 2013, shows that only 56% of shoppers in NI regularly reuse their carrier bags – and evidence from Scotland and Wales suggests that even this figure may overstate the actual percentage of shoppers regularly reusing their carrier bags. Clearly such trends, if they continue unchecked, would diminish the environmental benefits of the carrier bag levy. Just as the 5 pence levy on single use bags encouraged greater reuse of carrier bags and reduced the number of single use bags being dispensed, the Minister believes that applying a 5 pence levy to low cost reusable bags should help significantly reduce unnecessary purchases of these bags, encourage even higher levels of reuse and generate substantial environmental benefit.

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Office of the First Minister and Deputy First Minister

Hydraulic Fracturing (22 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131122.pdf> Page: WA 457

The Ministers were asked whether any decision on hydraulic fracturing will need to be made by the Executive. They replied that in accordance with the provisions of the Ministerial Code, it is in the first instance the duty of the responsible Minister to consider whether a particular matter needs to be brought to the attention of the Executive. In doing so, they would expect the Minister to make a careful assessment of whether the matter falls within any of the categories specified in the Code which trigger the requirement for referral to the Executive.

Programme for Government 2011-15 (22 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131122.pdf> Page: WA 458

The Ministers were asked when a decision will be made in respect of extending the Programme for Government 2011-15. The Ministers have commissioned an internal review of the implementation of the PfG, to consider progress made against our Commitments to date, and to make recommendations to support further progress. The potential extension of the term of the current Assembly, through legislation presently being considered at Westminster, may create an opportunity to build on the progress we have already made. For this reason, the review of the PfG will bring forward proposals for ensuring continuity in delivery in the context of an extension to the Assembly

mandate. A decision on the extension of the PfG Period will take place when the outcome of the Westminster legislative process is known.

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Minister for Regional Development

New Cycling Group (8 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131108.pdf> Page: WA 323

The Minister provided an update on the new cycling group. From 1 November 2013, he has established a Cycle Policy Unit in DRD tasked with better co-ordinating all cycle issues and working with other interested stakeholders to develop robust and sustainable strategies. He has instructed officials to give careful consideration as to how the existing skills and experience within DRD can best be incorporated into the new unit and has asked for staffing structures to be completed and posts filled as a matter of urgency, so I can then consider what additional resources need to be allocated to the new unit. He added that he was keen to see the new unit fully staffed within a short time and a series of meetings arranged with all stakeholders to ensure all cycling issues are progressed in a more coherent and coordinated manner.

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Belfast Transport Hub (8 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131108.pdf> Page: WA 336

The new Transport Hub is designed to benefit those choosing to use our growing public transport services network. The project has an approved Strategic Outline case and the project team is currently undertaking a procurement exercise to appoint an Integrated Design Team early in 2014. The Team will initially produce a Master Plan of the new Transport Hub which will allow for full public consultation towards the end of 2014. A stakeholder plan is under development to ensure engagement at appropriate levels with all interested parties. Provisional development of the business case for the Transport Hub is continuing. The Outline Business Case is due to be completed for early 2015. Assuming the appropriate approvals for funding and planning are achieved, the aspiration is to start construction in 2016. The focus is now on the next Comprehensive Spending Review to secure funding as needed.

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NI Water: Renewable Energy (6 December)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/13-12-06.pdf> Page: WA 240

The Minister was asked that as electricity prices will continue to rise whether he will request that NI Water produce a cost benefit analysis of producing as much of their electricity as possible using renewable energy. He replied that existing Ministerial guidance for water and sewerage services already includes a priority for NI Water to “Agree appropriate targets to plan and deliver a contribution to the PfG greenhouse gas emissions reduction target (e.g. through increased use of green energy).” NI Water has exceeded its targets for the use of renewable energy through generating renewable energy from water turbines and the incineration of sewage sludge. NI Water has considered the use of other sustainable sources for the generation of renewable energy and uses a cost benefit analysis as one of the processes to decide if it is economical to proceed with these projects. DRD is currently consulting on draft Social and Environmental Guidance for Water and Sewerage Service (2015-21). This includes priorities on renewable energy including investigating opportunities for generating renewable energy from NI Water assets. The Draft Guidance also includes a number of other priorities that could contribute to managing future increases in NI Water’s energy demands and operating costs. The public consultation on Draft Social and Environmental Guidance closes on 31 January 2014.

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Minister for Social Development

Warm Homes Scheme (22 November)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/131122.pdf> Page: WA 596

The Minister provided an update on the introduction of a new Warm Homes scheme. The existing Warm Homes Scheme is administered by the NIHE and delivered by Bryson Energy and H&A Mechanical Services under contract. That contract will end on 30 June 2014 and there is no provision to extend it further. DSD in partnership with the Housing Executive, the mid Ulster cluster of Councils and Newtownabbey Council are conducting a pilot exercise targeting households with low

incomes to provide energy efficiency improvements. The findings of this pilot exercise will be evaluated and a public consultation on proposals for a new Warm Homes Scheme will be undertaken in early 2014. DSD intends to have a new scheme in place for 1 July 2014 which will target those householders most affected by fuel poverty and provide energy efficiency improvements.

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Oral Answers to Questions

Minister of the Environment

Climate Change (11 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/11-November-2013/#6>

Question 3

The Minister was asked whether he had any plans to introduce a climate change Bill for Northern Ireland. He responded that while climate change is a massive issue he was not 100% convinced that it would be the best way to address it. He was minded therefore to favour a climate change strategy.

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National Park: Causeway Coast (11 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/11-November-2013/#6>

Question 6

The Minister was asked for an update on a national park in the Causeway Coast and glens. He replied that he did not believe that now is the correct time to proceed with national parks. The Minister stated that he believed that some of the benefits associated with national parks can be derived from enhanced collaboration and partnership working on the ground between stakeholders, including, importantly, landowners and others who have expressed reservations about national parks. That stance applies to the Causeway Coast and glens and to other areas.

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Recycling: Targets (11 November)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/11-November-2013/#6>

Question 7

The Minister provided an update on how councils are progressing against their recycling targets. The Waste Framework Directive (WFD) requires that 50% of waste from households is recycled by 2020. Provisional data for NI relating to the WFD target, submitted as part of the UK rate, shows a recycling rate for waste from households of 41.6% for 2012. DOE also published a consultation paper in May 2013 seeking views on policy options for a recycling Bill that would contain powers to introduce a statutory recycling target for a local authority collecting municipal waste. The proposal is to set a 60% target for the recycling of all local authority-collected municipal waste by 2020. DOE are currently analysing the responses to the consultation, and the Minister will consider that analysis before making any decisions on the preferred policy options.

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