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April 2013

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Executive Committee Business

CRC Energy Efficiency Scheme Order 2013 (16 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/16-April-2013/#3>

The Minister of the Environment sought and gained approval: *That the draft CRC Energy Efficiency Scheme Order 2013 be approved.* The Minister explained that the carbon reduction commitment (CRC) scheme had been simplified and improved from its original format and that in future scheme participants can benefit from the significant financial savings and the reduction in the administrative burden that will be provided by the changes to the scheme. The CRC scheme is a mandatory trading scheme aimed at improving energy efficiency and cutting carbon dioxide emissions in large public and private sector organisations that typically spend more than £500,000 a year on electricity costs. In Northern Ireland, there are only 48 participants: 29 from the public sector and 19 from the private sector. Since its introduction in April 2010 stakeholders have argued that it is too complex and administratively burdensome. The Minister added that the simplifications proposed will: reduce the administrative and financial costs to the scheme's participants by about 55%. The key changes include a reduction in the number of fuels covered by the scheme from 29 to two; remove the overlap with other schemes, namely climate change agreements and the EU emissions trading scheme; abolish performance league tables, which will be replaced by an annual publication of participants' aggregated energy use and emissions data and; introduce a commitment to monitor the impact and cost-effectiveness of the scheme and for it to be subject to review in 2016.

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Renewables Obligation (Amendment) Order (Northern Ireland) 2013 (22 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/22-April-2013/#3>

The Minister of Enterprise, Trade and Investment) sought and gained approval: *That the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2013 be approved.* The order introduces important changes to the NIRO that will continue to make it more effective and capable of delivering our targets for renewable electricity at least cost to the consumer. The large majority of proposed changes in the order mirror those contained in the other two renewables obligations in Great Britain. However, it has also been necessary to make some Northern Ireland-specific changes. The order contains a number of amendments to the NIRO, some of which will take effect from 1 May and others that will come into operation later in the lifetime of the NIRO. The draft order will also extend the end date of the NIRO from 2033 to 2037 and bring the NIRO end date into line with the other two renewables obligations in the UK and will give assurance to Northern Ireland generators accrediting until March 2017 that they will receive the full 20 years' support under the mechanism. The Minister concluded that the amendments in the order are designed to ensure that we support renewable electricity generation at a level that continues to provide investor certainty while maintaining value for money for the customer.

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Ministerial Statement

The Minister of the Environment

Local Government Reform: Transfer of Functions to New Councils (22 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/22-April-2013/#8>

After negotiation with ministerial colleagues, the Minister reported that, on 11 April, the Executive agreed a package of functions that will transfer new powers and responsibilities to the 11 new councils from 1 April 2015. The Executive decided what is to transfer on 1 April 2015. DoE will transfer local operational planning, which consists of local development plan functions and development control and enforcement. DRD is transferring off-street parking, except park-and-ride. DSD is transferring the following areas of urban regeneration and community development: functions associated with physical development, such as environmental improvement schemes, area-based regeneration, such as neighbourhood renewal; and some community development

programmes for the voluntary and community sectors. DSD is also transferring the following housing functions: registration of houses in multiple occupation; and housing unfitness responsibilities, including repair and demolition notices. DETI is transferring a number of local economic development activities from Invest NI, namely the Start a Business programme and enterprise shows; youth entrepreneurship, such as the Prince's Trust and Shell LiveWIRE; social entrepreneurship; Investing for Women; and neighbourhood renewal funding relating to enterprise initiatives. The following local tourism initiatives are also moving to councils: small-scale tourism accommodation development; providing business support, including business start-up advice along with training and delivery of customer care schemes; and providing advice to developers on tourism policies and related issues. A number of other functions and assets are moving from DARD and DCAL. Those are the delivery of the EU rural development programme; authority to spot list to enable councils to add a building to the statutory list on a temporary basis, subject to ratification by the DOE; authority to draw up local lists of buildings that are of architectural or historic interest; Armagh County Museum; local water recreational facilities; greater involvement of local government in local sports decisions; and Donaghadee harbour.

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Private Members' Business

Energy: Consumer Advice (8 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/08-April-2013/#4>

Mr Flanagan moved: *That this Assembly calls on the Minister of Enterprise, Trade and Investment, in conjunction with her Executive colleagues, to introduce a one-stop shop to provide free, independent and impartial advice to consumers and small businesses about their energy needs, to focus on saving consumers money and to encourage consumers to move away from fossil fuels and maximise energy efficiency.* During the contributions members heard that there is a need to make it easier to facilitate the move to more sustainable and renewable forms of energy and to enable households to take proactive measures to improve the energy efficiency of their home so that they do not have to consume as much energy to provide adequate heating. Mr Flanagan added that one of the ways to do that is through a scheme such as the green new deal, whereby finance was provided up front to households to allow them to get a wide range of retrofitted measures and these measures could be provided through one scheme that would be managed centrally. The SDLP's Patsy McGlone argued that an independent environmental protection agency could and should play an integral role in the delivery of impartial advice to consumers about their energy needs, focusing on reducing energy bills and encouraging consumers to move away from fossil fuels and maximise energy efficiency. In response the Minister stated that there are many players involved in energy-related advice and information. More research and consideration would need to be given to looking at the existing provision and utilising fully what we already have and she was looking at the NI Direct website to see if that is something that can be utilised.

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Adjournment Debate

River Lagan: Pollution (9 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/9-April-2013/#8>

During this debate a number of issues were raised that were very much of relevance to the management and protection of our freshwater environment. Mr Lunn raised points in relation to problems with planning, discharge consents, pollution, fish kills and the leniency of the courts. He noted that the maximum fine for a pollution offence is £20,000, yet the biggest example in recent history in the Lagan area involved a fine of £7,500, and the average is around £200 adding that while enormous damage can be done, very seldom is there successful recovery in respect of that damage and the cost of restocking. In response the Minister outlined his plan to hold freshwater summits to address many of the issues raised by Mr Lunn.

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Answers to Written Questions

Minister of Agriculture and Rural Development

Agri-environmental Scheme (19 April)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130419.pdf> Page: WA10

The Minister provided an assessment of the agri-environment schemes currently in operation. DARD currently delivers a number of agri-environment schemes and there are 12,000 farmers in these schemes and 450,000 hectares of agricultural land is being managed for environmental benefit. This equates to almost a third of farmers in schemes and over 43% of the agricultural land area under agreement. The schemes are funded from the Rural Development Programme and since it began in 2007, participants have received some £159 million in funding, which is, on average, £25 million each year being provided to the local rural economy. A CAFRE survey in 2011 of scheme participants found that 86 per cent of respondents were satisfied with their scheme and over half of the respondents stated that they had noticed an improvement in wildlife on their farmland. More recently farmers have been less willing to take up new agreements under NICMS. The Minister has instructed officials to take the reasons for this into account during development of a new agri-environment provision for the next RDP. A key design aim for any new scheme will be to strike a balance between the provision of sustainable environmental benefits, making the new scheme simpler and easier for farmers to implement, and ensuring that DARD can administer and control the scheme effectively in line with EU Regulations.

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Minister of the Environment

Foyle Lough (5 April)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130405.pdf> Page: WA424

The Minister was asked whether he is working with the Minister for the Environment, Community and Local Government to have the Foyle Lough, in its entirety, designated as a Ramsar site. He replied that Lough Foyle, is a large shallow sea lough which contains extensive intertidal areas of mudflats and sandflats. It is an internationally important coastal site for wintering waders and wildfowl. Because of its international importance Lough Foyle was designated as a Ramsar Site in February 1999. The Ramsar site includes the whole of Lough Foyle Area of Special Scientific Interest (ASSI) and the intertidal area of Magilligan ASSI in Lough Foyle extending south of Magilligan Point. The boundary of the Ramsar site is entirely coincident with that of the Lough Foyle Special Protection Area and it overlaps with Magilligan Special Area of Conservation. The part of Lough Foyle which falls within the jurisdiction of the Republic of Ireland has not been designated as a Ramsar site. The Minister indicated that he had written to the Dublin Minister to ascertain his view on the matter and would welcome a visit by the head of the Ramsar Secretariat in relation to the Ramsar designation.

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Collection of Recyclable Waste (26 April)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130426.pdf> Page: WA117

The Minister was asked (i) how much material collected as recyclable waste is exported on an annual basis; (ii) to what destinations; and (iii) what happens to it when it arrives at its destination. He replied that under the Transfrontier Shipment of Waste Regulations 2007 (as amended) all exports of waste from Northern Ireland to outside the UK must be accompanied by documentation, copies of which must be sent to the Department prior to shipment. According to Departmental records during the calendar year 2012 just over 630,000 tonnes of waste was exported from Northern Ireland destined for recycling operations. This waste was sent to the following countries: Bangladesh, Belgium, China, France, Germany, Hong Kong, India, Indonesia, Ireland, South Korea, Lithuania, Malaysia, Mexico, Netherlands, Norway, Pakistan, Portugal, Spain, Sweden, Thailand, United States and Vietnam. The above countries are all signed up to the Basel Convention and as such are required to take the appropriate measures to ensure the availability of adequate facilities, for the environmentally sound management of hazardous wastes and other wastes. When the

material arrives at its destination it goes through a recycling operation which varies depending on the nature of the waste.

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Minister for Regional Development

Rivers Agency (12 April)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130412.pdf> Page:WA527

The Minister for Regional Development was asked for his assessment of any proposal to transfer the Rivers Agency from the Department of Agriculture and Rural Development to his Department. He replied that he supported the proposal to transfer Rivers Agency to DRD, provided it was accompanied by reasonable funding. This will consolidate the three main drainage agencies within one Department and was one of the recommendations in the Executive's Review of Response to Flooding on 27th and 28th June 2012. He added that he had written to the Minister of Agriculture and Rural Development urging her to support the proposal.

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A5 Road Project (26 April)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130426.pdf> Page: WA 207

The Minister was asked why, in relation to the proposed A5 road project, DRD did not carry out an appropriate assessment of the Rivers Foyle and Finn Special Areas of Conservation under the Habitats Directive. He replied that DRD is responsible for carrying out an appropriate assessment under the Habitats Directive. As allowed by the Directive, a screening exercise was carried out on behalf of DRD. In carrying out this level of assessment, design and construction commitments were considered. It was concluded that it was unlikely the proposed scheme would have an adverse effect on the integrity of the River Foyle and tributaries and River Finn Special Areas of Conservation (SAC). The findings of the screening exercise were issued to the two relevant statutory bodies: the NIEA and National Parks and Wildlife Service (NPWS). Both Statutory Bodies agreed with the conclusions of the screening exercise while Loughs Agency and DCAL were also consulted but did not respond. Following the Judge's recent ruling, the Minister decided it was more effective to address the defect, rather than appeal the judgement. He has asked for a report to be prepared to address, amongst other things, impacts on the SACs and proposed mitigation. This report will be publically consulted upon and the findings of this exercise will allow him to undertake an appropriate assessment sometime this summer. The Minister has also asked for a third party review of the project consultant's work in respect of the entire appropriate assessment process, including the scope of the report referred to above, in order to assist his deliberations.

Electric Cars (26 April)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130426.pdf> Page: WA 208

The Minister outlined the measures DRD has in place to encourage people to use electric cars. DRD, along with the DoE, leads the ecar project, a consortium of public and private sector partners working to bring electric vehicle charging infrastructure to Northern Ireland with grant funding from the Office for Low Emission Vehicles. By the Summer of 2013, 14 rapid 50kW charge posts and 160 fast 22kW charging posts will have been installed. Each fast charge post can charge two vehicles simultaneously. A number of activities have been undertaken to increase awareness and encourage the uptake of electric vehicles, including: (i) developing an ecar website www.ecarni.com and mobile phone 'app', (ii) a major 3-day test-drive event at Titanic Belfast; and (iii) a number of marketing videos and advertisements. DRD is offering a grant of up to £1,500 for the installation of a home or workplace charge point for the first 180 people to buy a new electric vehicle before the end of March 2014. The general cost of an installation ranges from £1000 - £1500. There are also several UK wide incentives available to increase the uptake of electric vehicles, such as grants of up to £5,000 towards the purchase of an electric car and up to £8,000 towards an electric van. Other incentives include exemption from fuel duty, vehicle excise duty, company car tax, van benefit charge, fuel benefit charge and enhanced capital allowances for businesses to relieve the entire cost of an electric car or van against taxable profits in the first year of acquisition.

Oral Answers to Questions

Minister of the Environment

Councils: Capacity Building and Training (22 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/22-April-2013/#7>

The Minister stated that the multiple challenges of the review of public administration (RPA) are quite evident, and we must build councillor and management capacity to deal with that level of change. That is why the Executive allocated £3 million of their £48 million RPA budget allocation to capacity-building and training. DoE working with Community Places and the chief executive of Ballymena Borough Council, is scoping out what needs to be done to develop councillor and management capacity and training in the run-up to RPA to ensure that, when it happens, it is done right and ratepayers are not disappointed. He added that his officials will be working with Community Places to ensure that citizens, communities, councillors and management are fully aware of the scale of the new responsibilities, not least when it comes to planning decisions, community planning and development plans. In the local government Bill there is going to be a number of checks, balances and requirements placed on councillors and councils in order to live up to best practice and proper standards, be it the ethical standards that fall to councillors, the requirements of proportionality when it comes to the appointment of people to various posts within and outside councils or when it comes to performance standards within the conduct of councils themselves. There will be multiple models, allied with the existing powers of the local government auditor, so that, by law and practice, councils will be measured and judged, and will judge themselves, against the best standards.

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Minister for Social Development

Boiler Replacement Scheme (9 April)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/9-April-2013/#5>

The Minister provided an update on the boiler replacement scheme. He stated that there has been unprecedented interest in the boiler replacement scheme, which he launched last September. Over the next three years, £12 million has been allocated to the scheme and it is open to owner-occupiers who earn less than £40,000 and have an inefficient boiler that is at least 15 years old. There have been 30,000 inquiries to date. Some 12,800 applications have been received, 12,500 boiler installer forms have been issued to applicants and 7,200 forms have been received and processed. A total of 6,500 formal approvals to proceed with the installation of a new boiler have been. Of those, 2,500 applicants have confirmed that they have completed the installation, and some are waiting on the building control certificate to receive payment. It is estimated that some 6,000 boiler installations were completed by the end of the March. That has all been achieved within the first seven months of the scheme, which has an objective of assisting 16,000 households over three years. By replacing their old non-condensing boiler with a new condensing boiler, householders in an average three-bedroom semi-detached house will save in excess of £2,700 over 10 years. That figure increases the older the boiler is that is being replaced. The thermal efficiency of the homes that have replaced their boilers under the scheme will also significantly increase, with some delivering a 30% increase in fuel efficiency. The scheme has also helped 600 boiler installers throughout Northern Ireland to find work. At a time of economic crisis, the scheme has been of great benefit to local businesses and the local economy.

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