

Assembly News June-July 2013

(The Assembly will be in Recess from 6 July 2013 to 1 September 2013. The next Plenary Sitting will be on 9 September 2013)

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Executive Committee Business

Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013 (4 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/04-June-2013/#4>

Members agreed *that the draft Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 be approved*. These Regulations apply environmental controls to a range of industrial activities from large power stations, incineration plants, chemical production, waste management, agriculture and right across to small dry-cleaners and are enforced by the NIEA and the district councils. They transpose the industrial emissions directive and consolidate various pieces of legislation relating to pollution prevention and control made over the past 10 years, try to capture in one place a lot of the industrial emissions requirements that were otherwise scattered across a number of pieces of legislation and, at the same time, take out of that which is governed by the regulations activities that are no longer ongoing. The Examiner of Statutory Rules was content with the drafting of the regulations but drew the Committee's attention to the fact that they had been introduced inappropriately. To remedy the error, the Department revoked and re-enacted the regulations, subject to the draft affirmative procedure, which has led to today's motion.

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Main Estimates 2013-14 (10 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/10-June-2013/#4>

Members debated and approved the Supply resolution for the Main Estimates for 2013-14. In response the Chair of the Committee for the Environment highlighted the decrease in DOE's current expenditure budget by £3.2 million, which is a fall of 2.6% on its 2012-13 allocation and a fall of 6.9% on its baseline 2010-11 allocation. The Committee has also noted that, with no real resurgence in the construction industry, DOE's income from planning applications is unlikely to rise for the foreseeable Budget period. Revenue generated from the recent introduction of the carrier bags levy is also unlikely to compensate for the amount of £4 million removed from the budget, so the Committee expressed its support for the bid submitted under the June monitoring round to cover the net deficit. The Committee had also strong concerns that progress in achieving targets on river basin management plans has been severely hampered by inadequate funding.

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Carrier Bags Bill: Second Stage (11 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/11-June-2013/#8>

Members debated and passed the Second Stage of the Carrier Bags Bill. On 8 April 5p levy on single-use carrier bags was introduced with the proceeds from the levy forwarded to DOE and, after the discharge of internal costs, used to help fund environmental projects. The Carrier Bags Bill now provides for the second phase of charging arrangements. Its principal purpose is to allow carrier bag charging to be applied to a wider variety of carrier bags and to enable those bags to be defined by reference to their price. The Bill will allow the levy to be applied to cheaper versions of reusable bags as well as to single-use bags as cheap, reusable carrier bags can now be bought for as little as 5p. If the levy did not apply to those bags, customers might simply treat them as throwaway bags and use them only once. That would have significant adverse environmental impacts, because those bags are usually thicker and heavier and take longer to degrade than single-use bags. The Minister also intends, 'in the fullness of time', to establish a price threshold to be defined in statute - bags that are priced above the threshold will be exempt from the levy; any bags that cost less than the threshold will be deemed to be low-cost and, therefore, liable for the levy. Finally, the Bill makes a number of changes to the current administration arrangements for the collection of the levy. Those include a power for DOE to impose interest payments in the event of late payment of the levy proceeds by a retailer. DOE have downgraded the potential income and believes, that in year 1, the income will be £1.7 million, and that in year 2, when the levy goes up and captures a wider category of bag, the income will be £3.4 million. Consequently, given that the internal costs to DOE of the administration of the levy will be in and around £600,000, in years 2, 3 and 4, if those figures are confirmed, there will be substantial moneys available for environmental causes.

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Local Government (Statutory Transition Committees) Regulations (NI) 2013 (1 July)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/01-July-2013/#11>

The Environment Minister sought and gained approval *that the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 be approved*. Under the Regulations, eleven key Committees will be formed to drive forward preparations for the new councils taking

over in April 2015. These Statutory Transition Committees (STCs), they will have responsibility for leading convergence between merging councils and undertaking preparatory work for the new councils and give councils' Transition Committees the statutory footing they have been seeking in order to take forward the next stage of their crucial transition work." The STCs, which are made up of elected members, will gather information, and consider and advise on matters relevant to ensuring that the new councils are able to adopt their full range of powers and functions from 1 April 2015. They will be required to take forward work on corporate and financial planning, including the preparation of a draft budget and a draft corporate and business plan for the new councils. Each will also be responsible for appointing its Chief Executive through open competition. The regulations also mean that: Each STC will be allowed up to 16 members with the exception of Causeway Coast and Glens which will have 20 and Belfast which will have 25. All STCs, with the exception of Belfast, will contain equal representation from each of the constituent councils; Membership of STCs will consist only of elected members from constituent councils and should proportionately reflect the political composition of the existing councils. The Belfast STC will contain two representatives from Castlereagh and two from Lisburn and these councillors must be representative of the areas which will join with Belfast; STCs must hold their first meeting within the next 35 days; Current councils may choose to pay an allowance, of up to a maximum of £2,700 per annum, to each of their nominees to the STC; STCs will hand over to the new councils, initially operating in shadow form, once they are elected in 2014.

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Ministerial Statements

Planning Policy Statement 16: Tourism (18 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/18-June-2013/#2>

The Minister of the Environment introduced the Planning Policy Statement 16 on tourism. The aim of PPS 16 is, first, to ensure that the planning system can play its part in achieving those targets and to manage the provision of sustainable, high-quality tourism developments in appropriate locations in the built and natural environment. He added that this is 'not a free-for-all for tourism development in settlement areas and rural locations rather it is a pathway for the provision of sustainable, high-quality tourism developments'. It will make it easier for developers and other stakeholders to bring forward tourism proposals that are appropriate and sustainable in towns, cities and the countryside. Key aspects of PPS 16 are: the inclusion of an exceptional circumstances policy, this means that unique proposals for a major tourism development project in the countryside, which will bring jobs and tourists to rural communities and benefit the tourism industry, can be approved; the removal of the requirement for an applicant to demonstrate 'need' for tourist accommodation in the countryside will make it less difficult for applicants to bring forward proposals, and easier and quicker for the planning authority to process applications; holiday / caravan park sites in the countryside no longer need to be within the Development Plan, as required by Draft PPS16. In rural areas, new or extended holiday parks will be required to integrate into the surrounding countryside and to demonstrate a high quality layout and design; expansion of the Draft PPS16 provisions for hotels to now also include proposals for guest houses and tourist hostels in the countryside.

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Planning Bill: Consideration Stage (24 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/24-June-2013/#3>

Following heated debate the Planning Bill completed its Consideration Stage at the Assembly. While Clauses 2 and 6 of the Planning Bill which were designed to encourage economic development were discussed and retained despite some 6700 messages being sent to MLAs asking for their removal, the most controversial amendments in the Bill were those jointly tabled by the DUP and Sinn Fein. These Amendments which were subsequently passed included Amendment 20 to allow for the creation of special economic planning zones, to be designated by OFMDFM which in effect, means that OFMDFM would be in charge of planning policy in certain areas, rather than the Environment Minister. The Minister argued that OFMDFM did not have the operational ability to take on new planning powers and also stated he had received legal advice that the new zones could run foul of European directives, as they did not exclude EU wild birds and habitats directives. Nevertheless, 60 MLAs backed the change, with 32 voting against. When the debate resumed on 25 June 2013 the Assembly also passed the DUP's and Sinn Fein's joint Amendment 26 that would restrict the ability of anyone who wanted to object to a planning decision by seeking a judicial review. If the bill is

adopted this means that future objectors could only go to court if they thought a decision breached human rights or European law. The Green Party amendment aimed at introducing third-party appeals was defeated on a cross-community vote, and the DUP/Sinn Fein amendment 26 was passed by 54 votes to 33. While there was some discussion around providing better protection for our World Heritage Site at the Giant's Causeway the opportunity to include this protection in law was also not taken. As the Assembly breaks for the summer at the end of this week, there will be no further progress with the Bill until after the recess. One possibility is that the Environment Minister will not move the Bill to the Further Consideration stage which would prevent further progress.

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Renewables Obligation (Amendment No. 2) Order (NI) 2013 (24 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/24-June-2013/#10>

The DETI Minister sought and gained approval: *That the draft Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013 be approved.* The changes brought forward in the draft Order amended the current Renewables Obligation Order (NI) 2009 by introducing a six-month extension for eligible combined heat and power projects supported under the NIRO. The amendments that are contained in this Order are designed to ensure that, in the absence of an RHI tariff, biomass CHP projects in development or nearing financial close have clear sight of support levels after 1 April 2015. The Minister reaffirmed her belief that it is important that we have a mix of renewable technologies in Northern Ireland and biomass can make an important contribution.

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North/South Ministerial Council: Aquaculture and Marine (1 July)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/01-July-2013/#6>

The Minister of Agriculture and Rural Development issued a statement on the twenty-third meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format held on Wednesday 3 May. Council noted that the first meeting of the third Foyle Area and Carlingford Area Advisory Forum took place on 9 April and that members had appointed Mr Peter Archdale as chairperson and Mr Paul O'Donovan as vice-chair of the forum. They welcomed the Loughs Agency's ongoing conservation and protection efforts, including the fact that the agency responded to over 100 pollution incidents in 2012 and seized a total of 136 illegal nets. It was reported that adverse weather conditions at the start of the 2013 season had made redd counting difficult but had also resulted in a reduction of poachers on the rivers. The Agency also reported that it had made a declaration of closure on the River Finn in order to continue to protect that special area of conservation. That will make the River Finn a catch-and-release river for the 2013 season and suspend downstream commercial salmon fisheries. The Council was also informed about a review of angling involving the Loughs Agency, DCAL, the Ulster Angling Federation, the Ulster provincial council of the Irish Federation of Sea Anglers and the Ulster Coarse Fishing Federation, together with sport-related bodies and the Tourist Board, to develop a joined-up approach to demonstrate the social and economic benefits of angling and the development of the angling product.

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Planning Policy Statement 2: Natural Heritage (2 July)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/02-July-2013/#3>

The Environment Minister launched PPS2 on natural heritage which is a policy aimed specifically at preserving and enhancing all that we cherish about our unique natural heritage. The Minister commented that the statement and *the adoption of PPS 2 by the Executive, unanimously and without dispute..is a useful rebuttal to the bad politics and bad law of last Monday and Tuesday* (reference to Planning Bill Consideration Stage – see above). PPS2 extends beyond and enhances the old PPS 2, which dates back to June 1997 and dealt only with natural conservations. The policy seeks to conserve, enhance and restore the abundance, quality, diversity and distinctiveness of our natural heritage. The Minister outlined how PPS2 protects designated sites at international, national and local level; statutorily protected species; other species; habitats or features of natural heritage importance; and areas of outstanding natural beauty (AONBs); better informs applicants of the types of surveys and assessments that may be requested as part of the development management process; will help us to meet international, national and local responsibilities and obligations. It will help us to achieve important obligations under the biodiversity convention, the European Landscape Convention and commitments made through the Northern Ireland biodiversity strategy, as well as to further sustainable development. Finally, it *provides flexibility to accommodate development for economic growth without compromising the need to protect the valuable natural heritage.*

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Committee Business

Carrier Bags Bill: Extension of Committee Stage (25 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/25-June-2013/#9>

The Chairperson of the Committee for the Environment gained approval that the Committee Stage of the Carrier Bags Bill be extended. On Tuesday 11 June 2013, the Assembly referred the Carrier Bags Bill to the Committee for the Environment for scrutiny. The Bill will apply charges to a wider range of carrier bags, including cheaper versions of reusable bags, and will allow the Department to make regulations to increase the amount of the levy charged. At its meeting on 13 June, the Environment Committee agreed to call for written submissions from interested organisations and individuals. The Committee's public call for evidence does not close until 15 August 2013, and they anticipate a high volume of submissions. After considering these, the Committee plans to invite respondents to take part in a stakeholder event so that members have a wider opportunity to explore the views expressed. The Committee will also wish to bring its concerns to DOE for its response. The House therefore supported the motion to extend the Committee Stage of the Bill to 30 November 2013.

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Better Use of Public and Community Sector Funds for the Delivery of Transport Options (2 July)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/02-July-2013/#4>

The Assembly debated and passed a motion: *That this Assembly approves the report of the Committee for Regional Development on its inquiry into the better use of public and community sector funds for the delivery of transport options; and calls on the Minister for Regional Development, in conjunction with his Executive colleagues and relevant bodies, to implement the recommendations.* The debate considered a number of key findings within the Report, namely: The Committee has long had concerns at the visually apparent duplication of transport services across the three Executive departments, namely those of the DE, DHSSPSNI and DRD through Translink; In excess of £200 million is expended on transport provision each year in Northern Ireland (excluding any capital provision for fleets maintained by the three Departments; The Committee concluded that there has been no real attempt to integrate transport provision in the public sector in Northern Ireland. The Committee frequently experienced examples of Departmental, Trust and Board officials displaying unwillingness to communicate and adopt common goals, reverting to their own individual "silos"; The Transport Reform process in 2009 provided an agreed platform to progress transport and the delivery of transport beyond the current mandate; The Committee commended DRD on the secondment of a professional transport planner during the course of the inquiry; The Committee is of the very firm belief that a significant level of integration in transport services is possible.

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Answers to Written Questions

Minister of Agriculture and Rural Development

Forest Service: Native Tree Species (14 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130614.pdf> Page WA 16

The Minister outlined the steps Forest Service are taking to increase the number of native tree species that are planted. Forest Service provide grant aid and advice to help farmers and landowners create new native woodland under the Woodland Grant Scheme and the Farm Woodland Premium Scheme. This is guided by Forest Service's publication of the "Native Woodland Definition and Guidance" Booklet produced by the Native Woodland Group. To increase the level of planting, including native woodland, Forest Service plans to operate a pilot Forestry Challenge Scheme this year for the creation of at least 100 hectares of new woodland in addition to woodland supported under the existing forestry grant schemes. The Scheme is subject to EU approval and will be aimed at encouraging farmers and landowners to establish new woodland on a landscape scale and applications will be assessed by judging which proposals contribute most to delivering the aims of the Forestry Challenge Scheme on a best value basis. In Forest Service managed woodland, the most appropriate areas for re-establishing native trees are identified through forest management plans. Native trees can be re-established near rivers or on ancient woodland sites where they can make a significant contribution to biodiversity. Natural colonisation or regeneration of native species is the preferred establishment approach which conserves local genetic distinctiveness and diversity.

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Farmers: Retain Hedgerows (14 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130614.pdf> Page: WA 19

The Minister was asked what encouragement DARD provides to farmers to retain hedgerows given, their importance to the Irish Hare. She replied that Farmers who receive direct agricultural support payments, including Single Farm Payment (SFP) must retain field boundaries. Hedges are considered a landscape feature and are eligible for these payments provided they meet certain eligibility conditions. Hedges must not be removed without prior permission from DARD and they must not be trimmed during the closed period for hedge-cutting. These actions are considered to be a breach of Cross-Compliance and could potentially result in the loss or reduction of the SFP and other direct payments. Removal of hedgerows may also be an offence under the Environmental Impact Assessment (Agriculture) Regulations (NI) 2007. DARD actively encourages the management, restoration and regeneration of hedgerows through the provision of funding to around 12,000 farmers in agri-environment schemes. In 2012 agri-environment farmers committed to undertake a total of 200 kilometres of hedgerow restoration through actions such as planting, laying and coppicing. Woodland also provides the Irish hare with habitat. Although the Forestry Act 2010 gives woodland owners general powers under to protect their trees from damage by wild animals, that power does not extend to Irish hares. The Irish hare was granted special recognition as an indigenous species of this island. As a result the Irish hare must not be killed at any time to protect woodland trees. DARD also provides advice on managing and preserving hedgerows for biodiversity through communication with Countryside Management Advisers, information in scheme booklets, provision of training events, press articles and on the DARD website.

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Minister of Culture, Arts and Leisure

Lough Neagh: Illegal Netting (21 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130621.pdf> Page: WA 171

The Minister stated that for the period 1 April 2012 to the end of March 2013, 22 illegal nets with a total length of 23,000m were seized in Lough Neagh by DCAL Fisheries Protection Officers. There have been a total of 111 boat patrols on Lough Neagh during that period. The Department will seize illegal nets from wherever they are detected including boats, commercial premises, quaysides, vehicles etc. DCAL Fisheries Protection staff continue to carry out intelligence led operations, often in conjunction with other enforcement agencies, to detect, disrupt and deter those involved in illegal fishing activities on Lough Neagh.

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Lough Neagh: Fish Stocks (21 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130621.pdf> Page: WA 171

The Minister was asked how she plans to collect data on the fish stocks in Lough Neagh. She replied that as Lough Neagh is the one of the largest freshwater lakes in Europe this poses significant challenges in collecting accurate fish stock data. The North Atlantic Salmon Conservation Organisation (NASCO) places commitments on DCAL to record data on wild Atlantic salmon and this work is carried out by the AFBI. Data is collected from the tributaries of Lough Neagh through electro-fishing surveys, habitat surveys, monitoring of adult runs through fish counters and from angling catch returns. Electro-fishing surveys and habitat surveys also provide DCAL with details of other fish species present in Lough Neagh tributaries. Eels stocks in Lough Neagh are monitored as part of the Neagh Bann Eel Management Plan and details of monitoring arrangements are detailed within it. DCAL has commissioned AFBI to carry out a review of the status of wild trout stocks in the DCAL area, including Lough Neagh, and the report on this work is currently being drafted. AFBI is currently undertaking netting surveys of all fish stocks on Lough Neagh and DCAL will have the results in due course.

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Netting of Salmon off the Coast (21 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130621.pdf> Page: WA 176

Given the concerns about Northern Ireland's breach of international commitments and the EU Habitats Directive, the Minister was asked whether she has issued licences this year for the netting of salmon off the coast. She replied that applications have been received from two commercial coastal salmon netsmen, who, as they did in 2012, provided an undertaking not to fish for salmon during the 2013 season. In light of the written undertaking not to fish during the 2013 season, DCAL has issued licences to the two fishermen.

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Licences for Fishing with Nets in Lough Neagh (21 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130621.pdf> Page: WA 176

The Minister was asked how many licences for fishing with nets in Lough Neagh DCAL has issued in 2013 to date and for her assessment of the impact of this on the salmon population in the 2013 season. She replied that there have been 11 Lough Neagh draft net licences issued so far in 2013. A total of 22 draft net licences were issued in 2012. Salmon can only be legally taken on Lough Neagh with a draft net, but these are mainly used to target other fish species. Any salmon taken must have a carcass tag inserted. The returns submitted by draft net licence holders indicate that a total of 20 salmon were taken on Lough Neagh in 2012. All draft net licence holders were sent a letter by DCAL asking that they voluntarily do not fish for salmon in 2013 and where possible return any salmon caught to the water unharmed. She believes the small number of salmon reported taken by licensed fishermen on Lough Neagh would not have a significant impact on the overall population of salmon in the Lough and its tributaries. Legislation is currently being drafted to take salmon off the Lough Neagh draft net licence from the 2014 season.

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Minister of Enterprise, Trade and Investment

Electricity Generated from Renewable Sources (7 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130607.pdf> Page: WA 482

The Minister provided a breakdown and source of the calculation of 13.7 % of electricity generation coming from renewable sources; that is generated within Northern Ireland without reliance on interconnector imports. The Minister explained that the 13.7% figure is a rolling average for the twelve month period to end of March 2013 based on information provided to the Department by NIE on a monthly basis and is calculated as a percentage of total consumption. The breakdown of the 13.7% figure by technology is as follows, Contribution as a proportion of renewable output (%): Onshore Wind 92.4%; Landfill Gas 5.2%; Hydro 0.9%; Biogas 0.6%; Biomass 0.5%; Tidal 0.3%; Combined Heat & Power 0.3%; Solar Photovoltaic 0%.

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Flaring of Excess Gas from Gas Wells (28 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130628.pdf> Page: WA 376

The Minister was asked whether flaring of excess gas from gas wells will be permitted under current legislation. She replied that DETI recognises that during the exploration, appraisal, commissioning and production phases of a development, the flaring of some gas may be unavoidable. However, any flaring must be kept to the minimum that is technically and economically justified. DETI will control gas emissions by requiring Licensees to apply for consent to flare or vent gas emitted from their wells. New regulations to reduce the emissions of gases to air by means of "green completions" are being introduced in the USA and it is anticipated that any future shale gas industry in the UK will adopt similar regulations based on industry best practice.

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Minister of the Environment

Single Use Plastic Bag Levy (14 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130614.pdf> Page: WA 76

The Minister listed the environmental projects or groups that have been designated for funding from receipts of the single use bag levy. He outlined his intention to use the net revenue generated from the Carrier Bag Levy to support communities, businesses, voluntary organisations, charities and schools in the delivery of local environmental programmes, particularly those that deliver social and economic benefits. These include: The creation of a new River Restoration Fund to allow local communities, angling groups and voluntary environmental organisations to run small projects which will improve local river water quality and ecological status and thereby contribute to implementing the objectives of the EU Water Framework Directive; The creation of a new Sustainability Innovation Fund to support community groups, business and others who need financial support to implement initiatives which have the potential for innovation which can generate transformational environmental change; Increased grants from the Community Challenge Fund to deliver a range of practical, local environmental projects through a broad range of not-for-profit groups including; voluntary and community groups, schools, charities and environmental trusts; Increased grants from the Natural Heritage Fund to encourage the conservation and enhancement of key elements of the environment and its wildlife and provide facilities which help as wide a range of people as possible to enjoy and appreciate our natural heritage; and Increased grants available from the Rethink Waste

Fund to promote waste prevention, reuse and recycling. The first Carrier Bag Levy returns from retailers are due in July 2013. Once this information is received and collated, DOE will be able to establish a reliable estimate of the total net revenue for 2013/14 and allocate funding to programmes and projects on the basis of this estimate.

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International Appalachian Trail along the Ulster Way (14 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130614.pdf> Page: WA 80

The Minister outlined his support for the concept of an International Appalachian Trail along the Ulster Way and has convened a meeting earlier this year with the European Vice President of the IAT steering group together with representatives from NITB and from the councils along the proposed route. NIEA have written to each of the relevant councils seeking nominees to sit on a NI IAT Working Group and are awaiting a response as it is important that the councils confirm support for the proposal as each would have a crucial role in ensuring that the standard of the IAT is appropriate to its international status. There will be no impact on the ownership or the name of the Ulster Way as the route is simply being double branded where appropriate. District councils are responsible for landowners' agreements and the essential maintenance of the quality sections of the Ulster Way. NIEA, through the Natural Heritage Grant Programme, may provide financial support towards essential works and the development of further off-road sections of approved long distance routes, including the Ulster Way. The Minister believes that it is quite possible that the international recognition of the IAT will bring welcome benefits to tourism and promote wellbeing as more people may be encouraged to walk the Ulster Way and the long distance walking routes that make up most of the IAT. At this early stage it is not envisaged that the development of the IAT would have any financial implications for the councils as there are no signs or trail furniture planned. It would be for each council to decide if it wishes to place any new trail furniture on the route and to bear any resultant cost. The European IAT steering group is not constituted in such a way that it could apply for funding for projects. It may, should this prove necessary, be possible for a particular council to apply for funding on behalf of this body and NIEA is exploring this option with councils.

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Minister of Finance and Personnel

Construction of Zero Carbon Homes (7 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130607.pdf> Page: WA 491

The Minister was asked whether he intends to introduce a target date after which all new homes will have to be zero carbon; and what action he is taking to incentivise the construction of zero carbon homes. He replied that in the Budget Report 2013 the Westminster Government renewed its commitment to implementing zero carbon homes from 2016. The Department for Communities and Local Government (DCLG) is preparing a detailed plan in response to a 2012 consultation on the energy efficiency requirements in England's building regulations. DFP officials have worked with DCLG counterparts on their proposals and are awaiting the outcome of this consultation. As there is a general policy to maintain the Northern Ireland regulatory requirements in line with England's regulations, it is envisaged that a further revision of the Building Regulations in Northern Ireland will follow in 2014, enabling Northern Ireland to keep in line with any proposed standards implemented in the English building regulations in relation to this target. The Westminster Government is also proposing to consult in 2013 on the next steps for zero carbon homes including the means of delivering allowable solutions. Officials in my Department will continue to work with DCLG on these proposals and ensure that in turn effective proposals are brought forward for Northern Ireland.

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Minister for Regional Development

Treated Sewage Waste: Disposal Options (28 June)

<http://www.niassembly.gov.uk/Documents/Answer-Book/2013/130628.pdf> Page: WA 460

The Minister outlined the disposal options available for treated sewage waste as an alternative to discharge into local water courses. He stated that Northern Ireland Water (NIW) continually assesses alternative options to the discharge of treated effluent into local watercourses. It is currently implementing a pilot project which involves using treated effluent for willows irrigation. However, the assessment indicates that owing to the large daily volume of treated effluent requiring discharge, this option would not be a technically feasible alternative to all watercourse discharges. NIW proposes to trial a further treatment technology known as Integrated Constructed Wetlands which utilises containment and treatment to reduce discharge volumes to receiving watercourses. It

must however be recognised that a prerequisite for the delivery of most alternative disposal options is the acquisition of significant areas of land. While NIW will continue to implement any practicable alternative options, there will be many locations where this is not technically feasible and there will continue to be a reliance on conventional treatment and discharge methods.

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Ancient Trees (11 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/11-June-2013/#6> Question 9
The Minister outlined DARD's plans to protect the 3,000 ancient trees that may be at risk from pests and diseases. While the primary responsibility for the protection of individual or groups of trees of special amenity, historical or rarity value lies with the Department of the Environment, which can make tree preservation orders under planning legislation, responsibility for prevention, containment and eradication of tree diseases is an important area of work for DARD. A plant health contingency plan is in place to deal with incidents of non-indigenous plant pests and diseases. In the event of an outbreak, the plan contains procedures for carrying out an initial risk analysis and the establishment of an incident management team, which would develop a plan to put in place prevention, eradication and control measures, including surveys and stakeholder consultation. Experience has demonstrated the importance of agreeing a fortress Ireland approach to plant health matters and working with those most likely to be affected by the disease. DARD is also considering views from stakeholders on our draft all-Ireland Chalara control strategy and hope to publish that shortly.

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Minister of Health, Social Services and Public Safety

Hydraulic Fracturing: Health Risks (2 July)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/02-July-2013/#6> Question 2
The Minister was asked a series of questions in relation to possible threats posed to human health from the process of hydraulic fracturing. He replied that Public Health England (PHE), formerly the Health Protection Agency, provides specialist advice and support to Departments and agencies across the UK on a wide range of health protection matters. PHE is currently reviewing the potential health impacts of shale gas extraction using the process commonly known as fracking. It is anticipated that that report will be available in the near future. The Public Health Agency will be guided by this advice. In its consideration of hydraulic fracturing, DHSSPS has been monitoring developments and has considered a number of reports from other countries, including the report by the Office of the Chief Medical Officer concerning shale gas development in New Brunswick, Canada, where it is taking place already. So, it is a matter that DHSSPS will take seriously. While the EPA in the Republic has commissioned a comprehensive study co-funded by the EPA, the Department of Communications, Energy and Natural Resources, and the NIEA, to date, the draft terms of reference make no reference to public health. Outputs from that research will assist regulators in fulfilling their statutory role regarding this activity, if indeed it is to progress. It is likely that the research programme will take around two years to complete. The EPA intends to publish a number of interim reports while the report is under way.

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Minister for Social Development

Social Housing: Energy Efficiency (17 June)

<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/17-June-2013/#14> Question 3
The Minister was asked what checks are carried out to ensure the energy efficiency of social housing stock. He replied that the Housing Executive has almost completed the production of energy performance certificates (EPCs) for its entire stock. EPCs detail the energy performance of each dwelling and take account of factors such as insulation, double glazing and heating type. The majority of the housing association stock is relatively new, and most of it has been built to level 3 in the code for sustainable homes. Since the last financial year, all new social housing stock is built to new building regulations standards. A work programme is also being developed in relation to cavity wall insulation being installed in historical and new social housing stock.

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