

## Minutes

### All Party Group on Climate Action

25 January 2023 | 1:00 pm – 2:00 pm

At: Virtual

**Members in attendance:** Eóin Tennyson MLA (Vice Chairperson), Harry Harvey MLA, Cllr Brian Smyth, Cllr Simon Lee, Cllr Martin Gregg, Cllr Roisin Lynch, Cllr Billy Webb, Danny Donnelly MLA

**In attendance:** Barry Patience, Kelly Devlin, Hugh McNicholl, Roisin Willmott, Rosalind Skillen, Bob Hanna, Catherine Kilgallen, Karin Eyben, Andrew Wilson, Shakheera Ross, Colin Jess, David Rossiter, Richard Greenhous, Emma Stubbs, Declan Allison, James Orr, Jenny Mack, Robert Jarvis-Gibbons, Paul McAlister, Tom Woolley, John Coates, John Early, Geoff Allen, Sophie Brown, Ashley, Lisa Wilson, Tom Lavery, Jennifer Fulton, Johnny Stewart, Debbie Hurson, Julia Kane, Eimear Montague, Emmet McDonagh-Brown, Amy Bell, Ian Gordon, Andy Frew, Patrice Cairns, Sara Lynch, Michael Boyd, Leona Maginn, Karen Arbuckle, Adele Faulkner, John McConnell, Jason McKeown, Emer Rafferty, Anne Ford, Rebekah Corbett, Nuala Flood, Donna Knowles, Brian Rankin, Chris, Caitlin Sullivan, Paul McCormack, Paul, John Martin, Irvine Abraham, Nichola Hughes.

**Attendees: 65**

**Apologies:** Kate Nicholl MLA (Chairperson), Peter McReynolds MLA, Andrew Muir MLA, Kellie Armstrong MLA, Cara Hunter MLA, Paula Bradshaw MLA, Cllr Terry Andrews, Cllr Robert Irvine

<b>1</b>	<b>Opening Remarks</b>
<b>1.1</b>	Eóin Tennyson ( <b>ET</b> ), Vice Chairperson, welcomed everyone to the meeting. He noted that he was filling in for Kate Nicholl, Chairperson, who was unable to attend the meeting.
<b>1.2</b>	<b>Apologies</b>
	Apologies were recorded.
<b>2</b>	<b>Meeting Admin</b>
<b>2.1</b>	<b>Minutes of meeting on 16 November 2022</b>
	Minutes of the meeting on 16 November were approved: proposed by Eóin Tennyson ( <b>ET</b> ); seconded by Harry Harvey ( <b>HH</b> ).
<b>2.2</b>	<b>Matters arising from meeting on 16 November 2022</b>
	The only matter arising from the previous meeting is that the Chairperson, Kate Nicholl MLA, has written to the DfE Permanent Secretary outlining the Group's disappointment that officials once again failed to respond to the request to brief the APG on the Energy Strategy, and asked his department to prioritise the briefing. Members will be updated on this matter.
<b>3</b>	<b>Briefing on the role of the Office of Environmental Protection in Northern Ireland</b>
	<b>ET</b> welcomed Richard Greenhous ( <b>RG</b> ), Chief of Staff at the Office of Environmental Protection (OEP) who delivered a presentation on the statutory functions of the OEP, a

new UK public body dedicated to protecting and improving the environment by holding government and public bodies to account.

Presentation: <https://www.sustainableni.org/sites/default/files/OEP%20Presentation.pdf>

**Contact:**

OEP Private Office [privateoffice@theoep.org.uk](mailto:privateoffice@theoep.org.uk)

**ET** thanked **RG** for his presentation. He invited questions from the group.

Q. Jennifer Fulton (**JF**) asked: Is the OEP scrutinising the Retained EU Law (Revocation and Reform) Bill and providing advice to government?

A. **RG** confirmed the OEP has responded to the Committee Stage of the Bill and raised several points. He noted that it is not for the OEP to say whether or not the Government should proceed with the Bill but they have some concerns about how it is being carried out such as the extremely short timeframe and whether government has the capacity to review and replace the environmental legislation being repealed under the Bill. The OEP's view is that the Bill must lead to improvements in the environment. The Bill is an opportunity to raise environmental standards where there is a currently a legislative deficit, but there is a risk of some environmental law disappearing if not correctly managed.

Q. Sara Lynch (**SL**) asked: How does this office differ to the Environment Agency function within England and Wales, and role of NIEA?

A. **RG** stated that the OEP is not responsible for regulation of breaches in environmental law e.g., illegal dumping offences. That is the responsibility of NIEA. The OEP's role is to regulate the regulators i.e., public bodies charged with enforcing environmental law.

Q. Jenny Mack (**JM**) asked: Often government policies don't align due to competing interests between policy agendas. Quite often public health is deprioritised in the context of economic and environmental decision making. She asked if the OEP considers public health impacts when assessing environmental policies and plans?

**RG** confirmed that public health impact is a driver when prioritising environmental issues. It is a key driver of the OEP's work.

Q. Bob Hanna (**BH**) noted that in the Republic of Ireland, both NIEA and OEP functions are undertaken by a single body, the Environmental Protection Agency. Why is this not the case here?

A. **RG** noted that the functions of the EPA in Ireland is very different to that of the OEP but noted that the EPA does not hold the Irish Government to account for breaches in regulatory practices in the same way the OEP does in the UK. He does not have a view on alignment of the OEP to a future independent EPA but that the OEP supports the need for local independent regulators. He also noted that there will always be a requirement for regulation of the regulators, and that it should be carried out by an independent body.

Q. John Martin (**JM**) asked: If the OEP is pursuing an investigation, how might that proceed without a functioning Northern Ireland Executive?

A. The OEP is currently seeking legal guidance on this. They need to understand how much officials can do, for example, whether or not the Northern Ireland Environmental Improvement Plan can be published without Ministerial approval. The OEP's role is somewhat limited in that regard. However, the OEP will apply pressure on government to ensure statutory deadlines are met.

Q. Emer Rafferty (**ER**) asked: As NI is the only part of the UK that borders an EU country,

	<p>what are the plans for dealing with transboundary environmental issues?</p> <p>A. <b>RG</b> acknowledged there will inevitably be not only north/south transboundary issues between NI and RoI but also east/west pollution issues with the rest of the UK. The OEP speaks to the European Commission and Irish EPA regularly about how they can best work together if and when pollution issues inevitably arise.</p> <p>Q. Johnny Stewart (<b>JS</b>) asked: Has the OEP published a list of the legislation it considers within its remit in Northern Ireland?</p> <p>A. <b>RG</b> said the OEP hasn't had to do this yet as there have not been any instances where the scope of environmental law within its remit was in question but agreed that they do need to understand the scope of legislation within their remit.</p> <p><b>ET</b> thanked <b>RG</b> for his helpful briefing.</p>
<b>4</b>	<p><b>Inquiry into the impact of the collapse of the Executive on the Climate</b></p>
	<p><b>ET</b> introduced a proposal to call an inquiry by this Group into the impact of the current political impasse is having on action on our climate commitments.</p> <p>The inquiry is proposed by Kate Nicholl MLA, and would collate evidence from stakeholders on the impacts the absence of a functioning Assembly is having on climate action, showing that the political impasse is having a determinantal impact on Northern Ireland achieving its climate commitments. The Chairperson's office has capacity to conduct the stakeholder consultation, as well as formalising the inquiry report.</p> <p><b>ET</b> asked if Members were generally content with this proposal.</p> <p>Cllr Brian Smyth (<b>BS</b>) asked if the Group could be involved in developing the stakeholder consultee list, noting that Councils have a key role in climate action in Northern Ireland given they are the highest democratically elected body in place.</p> <p><b>ET</b> agreed, noting that Richard's presentation highlighted the majority of complaints made to the OEP concerning Northern Ireland to date have been against councils, and that councils are key stakeholders in this agenda.</p> <p>Cllr Simon Lee (<b>SL</b>) seconded the proposal.</p> <p><b>ET</b> thanked Members for their support. He outlined the next steps, suggesting the Chairperson's office draft an outline of the objective of the inquiry, key lines of enquiry, an initial list of stakeholders to engage with, and to update Members at the next meeting.</p>
<b>5</b>	<p><b>AOB</b></p>
	<p><b>ET</b> outlined several items for members to note. Government consultations open that may be relevant to the Group include:</p> <ul style="list-style-type: none"> <li>• Outline Strategy for Future Marine and Fisheries Support 2023-2028 - Closing 3rd February 2023</li> <li>• Draft Ammonia Strategy for Northern Ireland - Closing 3rd March 2023</li> <li>• Draft Offshore Renewable Energy Action Plan - Closing 16th March 2023</li> <li>• Circular Economy Strategy for Northern Ireland - Closing 20th March 2023</li> </ul> <p>DAERA also published its Green Growth Strategy Consultation Report on 3<sup>rd</sup> January. The consultation received 122 responses. Whilst there was broad support for the strategy overall, there are a few points to highlight from the report:</p>

	<ul style="list-style-type: none"> <li>• Most respondents wanted to see an aim of Net Zero not a 'low emission society' with a shortened timeframe to achieve it before the 2050 milestone.</li> <li>• The narrative should shift from 'growth' to focus instead on sustainable growth. For some the goal of continual growth feels counter-intuitive to the need for a shift to more sustainable practices.</li> <li>• Respondents emphasised the need for public sector leadership; investment; widespread education to support behavioural change; and clear communication (particularly with local government)</li> </ul> <p>No further items of business.</p>
<b>6</b>	<b>Summary and close</b>
	<p><b>ET</b> thanked everyone for attending. The date of the next meeting is Wednesday 22 March (1pm - 2pm).</p> <p>Meeting closed at 13.50.</p>