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26 February 2021

Barbara Love
Clerk, Committee for Agriculture, Environment and Rural Affairs
Room 244
Parliament Buildings
Stormont
Belfast
BT4 3XX

Independent Panel for Review of Decisions on Area-based Schemes

Dear Barbara,

I am writing on behalf of the 11,500 members of the Ulster Farmers' Union (UFU) representing farmers from all areas of Northern Ireland and across all sectors.

In response to your letter dated 1st February 2021, ref Independent Panel Review of Decisions on Area-Based scheme and the views of the Ulster Farmers Union (UFU). In relation to this topic I must highlight initially that the UFU policy position is that the 2nd stage Independent Panel decision should be final.

In 2018 the UFU undertook legal proceedings against DAERA to retain the 2nd stage Independent Panel. This was settled outside of court but the decisions continued not to be binding. At the time as part of negotiations the UFU asked for the independent panels decisions to be final, however they were told by DAERA that for the independent panel decision to be final it would require a legislation change. However, we were told that with no Stormont Executive in place at the time this could not happen.

The UFU continue to lobby to ensure that the recent commitment made by the DAERA Minister that he would not overturn the decisions taken by the second stage Independent Appeals Panel is delivered through legislation before the end of the year, as subsequently outlined publicly by the senior DAERA official involved in the appeals process. The treatment of historic cases should be considered as part of the development of this legislation for a revised process.

The UFU look forward to responding to the DAERA consultation on the above matter once it has been issued.

Sincere regards,

James

A handwritten signature in cursive script, appearing to read 'J. McClugagge'.

James McClugagge
Policy Manager
Ulster Farmers Union