

COMMITTEE FOR AGRICULTURE AND RURAL DEVELOPMENT

MINUTES OF PROCEEDINGS

**TUESDAY 08 DECEMBER 2015
ROOM 30, PARLIAMENT BUILDINGS**

Present: Mr William Irwin MLA (Chairperson)
Mr Sydney Anderson MLA
Mrs Jo-Anne Dobson MLA
Mr Declan McAleer MLA
Mr Kieran McCarthy MLA
Mr Ian McCrea MLA
Mr Oliver McMullan MLA
Mr Ian Milne MLA
Mr Robin Swann MLA

Apologies: Mr Joe Byrne MLA (Deputy Chairperson)
Mr Edwin Poots MLA

In attendance: Ms Stella McArdle, Committee Clerk
Ms Lynda Conlon, Assistant Assembly Clerk
Mr Mark O'Hare, Clerical Supervisor
Ms Marion Johnson, Clerical Officer

10.46 a.m. The meeting commenced in Open Session.

1. Oral Briefing DARD: Mid-year progress report on the DARD Business Plan, January Monitoring Round and DARD Budget 2016/17

The following Departmental officials joined the meeting at 10.46 a.m.

Graeme Wilkinson, Acting Senior Finance Director
Rodger Downey, Acting Finance Director

The officials briefed the Committee and this was followed by a question and answer session.

11.07 a.m. Mr Milne and Mr McCrea joined the meeting.

Agreed: The Committee agreed to request that the Department provide a written account of the outcome of the November Monitoring Round and the adjustments proposed as part of the January Monitoring Round.

11.16 a.m. Mr Anderson left the meeting.

11.37 a.m. Mr Swann left the meeting.

11.38 a.m. Mrs Dobson joined the meeting.

11.39 a.m. Mr McCarthy joined the meeting.

11.39 a.m. The officials left the meeting.

2. Apologies

The apologies are recorded above.

3. Chairperson's Business

The Chairperson advised Members that the Deputy Chair and he plan to meet with DARD officials on Friday, 11 December 2015, to discuss the Business Investment Scheme element of the Farm Business Improvement Scheme.

4. Minutes of the meeting held on 01 December 2015

Agreed: The Committee agreed the draft minutes of the meeting held on 01 December 2015.

5. Matters Arising

Agreed: The Committee noted correspondence from the Karro Food Group and agreed to forward the response to the UFU.

Noted: The Committee noted correspondence from DARD, dated 03 December, providing an update on the work of the Fisheries Taskforce.

6. Oral Briefing DARD: The BVD Eradication Scheme Order (NI) 2015

The following Departmental officials joined the meeting at 11.40 a.m.

Geraldine Fee, Animal Identification Legislation and Welfare
David Brown, Divisional Veterinary Officer, Veterinary Service
Séamus Kelly, Deputy Principal, Animal Health Strategy & TSE
Sam Strain, Animal Health and Welfare NI

The officials briefed the Committee and this was followed by a question and answer session.

11.40 a.m. Mr McAleer joined the meeting.

Mr Irwin declared an interest that he is a farmer.

Mrs Dobson declared an interest that her husband is a beef farmer.

12.04 p.m. Mr Anderson rejoined the meeting.

12.17 p.m. Mr Milne left the meeting.

12.19 p.m. The officials left the meeting.

Agreed: The Committee agreed that it is content with the merits of the policy.

7. Written Briefing SL1: The Common Agricultural Policy (Review of SCMO Decisions) Regulations (NI) 2015 - Further Amendments

Agreed: The Committee agreed that it is content with the merits of the policy.

8. Written Briefing Committee for OFMDFM: Departments Bill and Transfer of Functions Order

Agreed: The Committee agreed that it is content with the proposed functions of the Department of Agriculture, Environment and Rural Affairs.

12.24 p.m. Mr McCrea left the meeting.

9. Correspondence

Noted: The Committee noted the DARD investment strategy report.

Noted: The Committee noted correspondence from the UFU to the DETI Minister regarding a solution for Small Scale Wind following the Consultation on the Closure of the Northern Ireland Renewables Obligation.

Noted: The Committee noted the most recent issue of EU Matters.

10. Forward Work Programme

Agreed: The Committee agreed the Forward Work Programme.

11. AOB

There was no other business.

12.26 p.m. The meeting suspended.

1.38 p.m. The meeting resumed in Open Session with the following Members in attendance: Mr Anderson; Mr Irwin; Mr McAleer; Mr McMullan; and Mr Swann.

12. Rural Needs Bill – Informal Clause by Clause

The following Departmental officials joined the meeting at 1.39 p.m. to discuss issues in relation to the informal clause by clause of the Rural Needs Bill.

Louise Warde Hunter, Head of Central Policy Group
Colette McMaster, Assistant Secretary, Director of Food, Farm and Rural Policy
Astrid Stuart, Head of Rural Proofing Branch

The officials briefed the Committee and this was followed by a question and answer session.

2.03 p.m. Mr Milne rejoined the meeting.

Agreed: The Committee discussed Clause 1 and agreed to request that the Department bring forward an amendment to substitute “due regard” for “consider” in Clause 1(1).

Agreed: The Committee discussed Clause 1 and agreed to request that the Department bring forward an amendment to substitute “strategies, plans and budgets” for “strategies and plans” in Clause 1(1)(a).

Agreed: The Committee discussed Clause 1 and agreed that no

amendment was required in connection with the matter of including the word “monitoring” in Clause 1(1)(a).

Agreed: The Committee discussed Clause 1 and agreed that no amendment was required in connection with the matter of including the words “that affect the” between Clause 1(1)(a) and Clause 1(1)(b).

2.20 p.m. Mr Swann left the meeting.

Agreed: The Committee discussed the possibility of amending Clause 1 to compel public authorities to mitigate any adverse impacts identified by the rural proofing process and agreed to request further information from the Department after it has taken legal advice on the issue.

Agreed: The Committee discussed Clause 1 and agreed to request that the Department bring forward an amendment to include the public bodies listed in *The Draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015* on the face of the Bill, whilst retaining the power to extend the statutory duty to other public bodies through subordinate legislation as provided for in Clause 1(3).

Agreed: The Committee agreed that the Department should consider an amendment to allow for a review of the public bodies listed on the face of the Bill within an agreed timeframe.

The Committee completed its consideration of Clause 1 and raised no further issues.

Agreed: The Committee discussed Clause 2 and agreed to request that the Department bring forward an amendment to substitute “will” for “may” in Clause 2.

Agreed: The Committee discussed Clause 2 and agreed that no amendment was required in connection with the matter of imposing a duty on public bodies to have “due regard” for guidance, advice and information issued by DARD under Clause 2(a).

2.53 p.m. Mr Swann rejoined the meeting.

2.54 p.m. Mr Swann left the meeting.

Agreed: The Committee discussed Clause 2 and agreed that no amendment was required in connection with the matter of

substituting “guidance, advice, information and training” for “guidance, advice and information” in Clause 2(a).

3.03 p.m. *Mr Swann rejoined the meeting.*

3.03 p.m. *Mr Anderson left the meeting.*

The Committee completed its consideration of Clause 2 and raised no further issues.

Agreed: The Committee discussed Clause 3 and agreed to request that the Department bring forward an amendment to require the Minister to make an annual statement to the Assembly on the report prepared by DARD under Clause 3(2).

Agreed: The Committee discussed Clause 3 and agreed that no amendment was required in connection with the matter of facilitating feedback and information exchange.

Agreed: The Committee discussed Clause 3 and agreed that no amendment was required in connection with the matter of the quality of compliance by public authorities.

The Committee completed its consideration of Clause 3 and raised no further issues.

Agreed: The Committee discussed Clause 4 and agreed that no amendment was required to provide further clarity on the proposed cooperation and information sharing arrangements or to include a reference to “good practice”.

The Committee completed its consideration of Clause 4 and raised no further issues.

3.23 p.m. *Mr Anderson rejoined the meeting.*

The Committee discussed Clause 5 and agreed that no amendments were required.

Agreed: The Committee discussed Clause 6 and agreed to request that DARD provide a Letter of Intent for the meeting of Monday, 14 December 2015, setting out how they intend to develop guidance and provide further clarification of the definitions in Clause 6.

The Committee discussed a number of other issues related to the Bill, but not contained within the provisions of the Bill as Introduced, and agreed that no further amendments were required.

- 3.36 p.m. *Mr McAleer left the meeting.*
- 3.42 p.m. *The officials left the meeting.*
- 3.42 p.m. *The meeting moved into Closed Session.*

The Clerk briefed the Committee on the Fisheries Bill.

- 3.52 p.m. *Mr McMullan left the meeting.*
- 3.55 p.m. *Mr McAleer rejoined the meeting.*
- 3.55 p.m. *Mr McMullan rejoined the meeting.*
- 3.57 p.m. *The meeting moved into Open Session.*

13. Oral Briefing DARD: Fisheries Bill

The following Departmental officials joined the meeting at 3.57 p.m.

Seamus Connor, Chief Fisheries Officer, DCAL
Liam Devlin, Deputy Principal, Inland Fisheries Group, DCAL
John Terrington, Fisheries Bill Team, DARD
Mark McCaughan, Chief Fisheries Officer, DARD
Paddy Campbell, Sea Fisheries Policy, DARD

The officials briefed the Committee and this was followed by a question and answer session.

- 4.04 p.m. *Mr McCrea rejoined the meeting.*
- 4.21 p.m. *Mr McCrea left the meeting.*
- 4.24 p.m. *Mr McCrea rejoined the meeting.*
- 4.40 p.m. *Mr McCrea left the meeting.*
- 4.45 p.m. *The officials left the meeting.*
- 4.46 p.m. *The meeting moved into Closed Session.*
- 4.46 p.m. *Mr McCrea rejoined the meeting.*
- 4.55 p.m. *The meeting moved into Open Session.*

Agreed: The Committee agreed to request clarification from DARD on alternative solutions to the potential infraction issues before deciding how to proceed with the Fisheries Bill.

Agreed: The Committee agreed that the Clerk should seek advice on other options to address the potential infraction issues outlined by DARD.

14. Date and time of the next meeting

The next meeting of the Committee for Agriculture and Rural Development will take place on Monday 14 December 2015 at 11.30a.m. in Room 30, Parliament Buildings.

4.57 p.m. The meeting adjourned.

William Irwin, Chairperson, Committee for Agriculture and Rural Development

Date