



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 9 September 2021

Meeting Location: Room 30/Virtual Meeting via StarLeaf

Present: Declan McAleer MLA (Chairperson)
John Blair MLA

Present by Video or Teleconference:

Philip McGuigan MLA (Deputy Chairperson)
Clare Bailey MLA
Rosemary Barton MLA
Harry Harvey MLA
William Irwin MLA
Patsy McGlone MLA

Apologies: None

Present: Nick Henry, Clerk
Marion Johnson, Clerical Supervisor

In Attendance by Video or Teleconference:

Elaine Farrell, Assistant Clerk
Neal Flanagan, Assistant Clerk
Mark Allen, Research Officer (agenda item 6)
Suzie Cave, Research Officer (agenda item 6)



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The meeting commenced at 10.04 a.m. in Open Session

1. Apologies

None.

2. Chairperson's Business

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 8 July 2021.

4. Matters Arising

None.

5. Climate Change No.1 Bill: Oral Evidence Session – Federation of Small Businesses (FSB)

The following representatives from FSB joined the meeting via StarLeaf at 10.06 a.m.

Neil Hutchinson, Head of Policy
Sophie Johnston, Operational Support Administrator

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

The oral evidence session was reported by Hansard.



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The Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to commission research on the impact the Scottish Agricultural Modernisation Fund has had on small businesses in respect of meeting climate change obligations.

Agreed: The Committee agreed to write to the Department to request that consideration is given to the creation of a webpage on its website which outlines steps which individuals, small businesses and households can take in relation to climate change.

Agreed: The Committee agreed to write to the Just Transition Commission in Scotland to seek information on how the needs of small and medium enterprises are addressed there.

Agreed: The Committee agreed to publish the briefing paper from FSB on the Committee website.

6. Oral Briefing RalSe: Biogenic Methane – An Overview

The Assembly Research Officers, Mark Allen and Suzie Cave joined the meeting via StarLeaf at 10.54 a.m.

The Research Officers briefed the Committee on their paper on Biogenic Methane.

This was followed by a question and answer session.

The oral briefing was reported by Hansard.

Mr Blair left the meeting at 11.02 a.m.

Mr Harvey joined the meeting at 11.05 a.m.

Mr Blair rejoined the meeting at 11.07 a.m.

The Chairperson thanked the Research Officers for their attendance.



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Agreed: The Committee agreed to write to the Department to request a briefing regarding its ability to identify the differential impact of the various sources of methane emissions locally, what accounting metric it currently adopts to measure emissions and whether it would have the authority to change this in the future

7. Oral Evidence Session: DAERA – Kesh Fish Kill

The following departmental officials joined the meeting via Starleaf at 11.51 a.m.

Kerry Anderson, Head of Water Management Unit
Dr Deirdre Quinn, North West Catchment

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

Mr Blair left the meeting at 12.10 p.m.

The Chairperson thanked the officials for their attendance.

Agreed: The officials agreed to update the Committee on the planned removal of the dead fish from the River Kesh.

Agreed: The Committee agreed to write to the Department to request information on what additional resources and measures have been introduced following pollution incidents in November 2016 and October 2019.

8. Departmental Written Briefing: SR 2021/186 - The Agricultural Commodities (Coronavirus) (Income Support) Scheme No.2 (Northern Ireland) 2021

The Committee considered SR 2021/186 The Agricultural Commodities (Coronavirus) (Income Support) Scheme No.2 (Northern Ireland) 2021 and noted that the Regulations were last considered by the Committee at the meeting on 29 June 2021 when it was agreed that the policy should move to the next legislative the stage.

The Committee noted that the Examiner of Statutory Rules has not yet reported on the Rule.



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Question put and agreed:

“That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2021/186 The Agricultural Commodities (Coronavirus) (Income Support) Scheme No.2 (Northern Ireland) 2021 and, subject to the Examiner of Statutory Rules Report, has no objection to the Rule”.

9. Departmental Written Briefing: SR 2021/187 - The (Draft) Agricultural (2017 North West Area) Flooding (Income Support) Scheme (Northern Ireland) 2021

The Committee considered SR 2021/187 - The (Draft) Agricultural (2017 North West Area) Flooding (Income Support) Scheme (Northern Ireland) 2021 and noted that the Regulations were last considered by the Committee at the meeting on 29 June 2021 when it was agreed that the policy should move to the next legislative stage.

The Committee noted that the Examiner of Statutory Rules has not yet reported on the Rule.

Question put and agreed:

“That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2021/187 - The (Draft) Agricultural (2017 North West Area) Flooding (Income Support) Scheme (Northern Ireland) 2021 and, subject to the Examiner of Statutory Rules Report, has no objection to the Rule”.

10. Departmental Written Briefing: Statutory Instrument – The Trade in Endangered Species of Wild Fauna and Flora (Council Regulations (EC) No. 338/97) (Amendment) (No.2) Regulations 2021

Noted: The Committee noted that DEFRA has made the Statutory Instrument which came into force on 22 June 2021 and which updates the retained version of the Wildlife Trade Regulations, which does not directly apply to Northern Ireland, save where movement of these species occur between GB and NI.



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11. Departmental Written Briefing: Supplementary Legislative Consent

The Committee noted that the Minister has laid an urgent LCM Motion for debate week commencing 20 September 2021 in the Assembly which will allow the Department to issue guidance to the Office of Environmental Protection and Regulations on forest risk commodities. The Committee further noted that an additional amendment has been made following a recommendation by the House of Lords to enable the Assembly to scrutinise any guidance before it is issued to the OEP.

Agreed: The Committee agreed that it was content for the additional proposed legislative consent.

Agreed: The Committee agreed to forward any questions on the Supplementary Legislative Consent to the clerk by close of play.

12. Departmental Written Briefing: Update COVID-19 Environmental Impacts Dashboard

Agreed: The Committee noted the latest update from the Department on the COVID-19 Environmental Impacts Dashboard and agreed to forward any questions on the update to the clerk by close of play.

13. Clerk's Written Briefing – Call for Evidence Summary on Climate Change No.1 Bill

The clerk briefed the Committee on the summary of evidence received to date on the Climate Change No.1 Bill.

Agreed: The Committee agreed to publish the responses it has received following the call for evidence on the Climate Change Bill, with the exception of the 10 respondents who requested that their submissions not be published.



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Agreed: The Committee agreed to schedule an oral evidence session with the anti-fracking group LAMP in respect of the Climate Change Bill.

14. Clerk's Written Briefing: Green Growth Strategy

The clerk briefed the Committee on the draft Green Growth Strategy which the Department intends to finalise and bring to the Executive for sign-off in mid-September, with a view to publication prior to COP26 in November 2021.

Agreed: Members were asked to consider the draft Green Growth Strategy and advise the clerk of any issues they wish to raise with the Department by close of play.

Noted: The Committee noted that the Department will provide an oral briefing on the Green Growth Strategy at the meeting on 30 September 2021.

Mr Blair rejoined the meeting at 12.49 p.m.

15. Clerk's Written Briefing: COP26 Events

The clerk briefed the Committee on the events, programmes and initiatives that have been planned by the Department to mark the COP26 Conference which is being hosted in Glasgow between 31st October and 13th November 2021. The clerk outlined a number of potential Committee initiatives for consideration including the illumination of Parliament Buildings during the COP26 Event and an e-bike event with Sustrans.

Agreed: The Committee agreed to consider hosting a youth event during the COP26 Conference and to liaise with the Assembly Engagement Office and the Education Service to ascertain if there is an event being held that the Committee could support

Agreed: Members agreed to advise the clerk of any further initiatives they wish to explore to mark the COP26 Conference.



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16. Correspondence

The Committee noted the following:

- i. The DAERA Annual Report and Accounts 2020-21;
- ii. Forest Service Annual Report and Accounts 202-21;
- iii. Correspondence from the Department on issues raised at the meeting on 24 June 2021;
- iv. Copied correspondence from the Committee for Communities to the Department on Neighbourhood Renewal and a request for sight of the Outcomes Report when it has been completed;
- v. The British Wool Annual Report and Accounts 2019-2020;
- vi. Correspondence from the House of Lords European Affairs Sub Committee on the Protocol and EM 8793/21;
- vii. Correspondence from the Department on the consultation on the proposed implementation and next steps of the bTB Eradication Strategy for Northern Ireland;
- viii. Correspondence from the Department advising that it intends to launch an Expression of Interest for Tranche 2 of the Farm Business Improvement Scheme which launched on 16 July 2021;
- ix. Correspondence from the Committee for Justice on Addressing Anti-Social Behaviours and Proposed Legislative Powers;
- x. Correspondence from the Department on the UK Climate Change Committee's Annual Report and Accounts 2020-21 which have been laid in the Assembly as per the 2008 Climate Change Act 2019-20;
- xi. Correspondence from the Department in response to issues raised at the meeting on 1 July 2021;
- xii. Correspondence from the House of Lords European Affairs Sub Committee on the Protocol in respect of EM 13944/20: Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries;
- xiii. Correspondence from the House of Lords European Affairs Sub Committee on the Protocol in respect of EM 6916/21: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2017/625;



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- xiv. Correspondence from the House of Lords European Affairs Sub Committee on the Protocol in respect of EM 8537/21;
- xv. Correspondence from the House of Lords European Affairs Sub Committee on the Protocol in respect of Unnumbered EM Commission Implementing Regulation (EU0 2021/419 amending Implementing Regulation (EU) 2018/2019);
- xvi. Correspondence from the Department in respect of the ISNI Investing Activity Report for July 2021;
- xvii. Correspondence from the Department which provides additional information pertaining to the progress of Common Frameworks and legal advice that the Minister has now received in relation to how they interact with Section 36 of the Protocol;
- xviii. Correspondence from the Executive Office in respect of the Office of the Northern Ireland Executive's Brussels' report for Quarter 1 of 2021-22;
- xix. Correspondence from the Department advising that it has adopted the Round 3 Noise Reduction Plan produced by the Department for Infrastructure;
- xx. Correspondence from the Department in respect of a 6-week consultation which launched on 28 July 2021 on two technical and operational amendments to the Greenhouse Gas Emissions Trading Scheme Order 2020;
- xxi. Correspondence from the House of Lords European Affairs Sub Committee on the Protocol and the publication of its Introductory Report on 29 July 2021;
- xxii. Correspondence from the Department advising that the Minister has endorsed the Translink Round 3 Noise Action Plan 2019-2023 as per the Environmental Noise Directive;
- xxiii. Correspondence from the Speaker informing the Committee that he does not intend to contest the next Assembly election;
- xxiv. Correspondence from the Department in respect of issues raised at the meeting on 8 July 2021;
- xxv. Correspondence from the Department confirming that it has no intention to change its current roles and responsibilities in terms of enforcement of anti-social behaviour as part of the ongoing work of the Departments for AERA, Justice and Communities;
- xxvi. Correspondence from the Department on the UK-wide report pertaining to the UK Milk Subsidy Scheme for Schools 2021-22;
- xxvii. Correspondence from the Department in the publication of the Air Pollution in NI 2019 report;



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- xxviii. Correspondence from the Department on its intention to publish the responses it received to its December 2020 consultation in respect of the development of a Climate Change Bill;
- xxix. Correspondence from the Department on the launch of the Future Agricultural Policy Framework;
- xxx. Correspondence from the Department on the ISNI Investing Activity Report for August 2021;
- xxxi. Correspondence from the Department in the publication of its report on the Biodiversity Strategy to 2020;
- xxxii. Correspondence from the EU Affairs Officer on the latest meeting of the Inter-Ministerial Group for Net Zero, Energy and Climate Change;
- xxxiii. Correspondence from the Department in respect of issues raised on themes identified in the consultation on the Climate Change Bill and how there were considered in relation to the development of policy and the Bill;
- xxxiv. Correspondence from the Ulster Farmers' Union in respect of a North West Flooding claimant.

The Committee considered correspondence from the Minister in respect of a leak of the draft Committee report on the Investigation into Security at the Ports.

Agreed: The Committee agreed to write to the Minister to note his concern and to reaffirm that all reasonable steps have been taken to safeguard against future breaches. The Committee further agreed to assure the Minister that the leak did not undermine the investigation in terms of its findings and recommendations.

Agreed: The Committee agreed to write to key stakeholders in order to seek assurance that they have received the Committee's report and have taken account of any recommendations pertaining to them

The Committee considered correspondence from the Committee for Justice on the call for evidence on the Justice (Sexual Offences and Trafficking Victims Bill).

Agreed: The Committee agreed the draft response for issue to the Committee for Justice.



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The Committee considered correspondence from the Department which provides additional information around the compensation which was provided to eel fishermen following the cessation of commercial eel fishing in Lough Erne in 2011.

Agreed: The Committee agreed to forward any further questions for the Department to the clerk by close of play.

The Committee considered correspondence from the Department which provides a summary of responses to a joint consultation carried out by legislatures across the UK in respect of the development of a new National Action Plan on the use of pesticides.

Agreed: The Committee agreed to request an oral briefing from the Department before the publication of the National Action Plan at the end of 2021.

The Committee considered correspondence from the Chief Executive of the NI Pork and Bacon Forum highlighting the impact and serious risk that the lack of access to labour is causing to the three pork slaughterhouses in NI.

Agreed: The Committee agreed to write to the Home Office and DEFRA to highlight the issues raised and to seek support to resolve the ongoing issues.

Agreed: The Committee agreed to write to the Department and the Department for the Economy to highlight the issues and to seek urgent action and engagement with the sector.

The Committee considered correspondence from the Department on the planned Public Consultation on the Marine Strategy Part Three: UK Updated Programme of Measures, which launched on 31 August 2021 for a period of 12 weeks.

Agreed: The Committee agreed to forward any questions for the Department on the consultation to the clerk by close of play and to seek an analysis of the consultation responses in due course.

The Committee considered correspondence from the Department which provides an update on the development of the Northern Ireland Food Animal Information System (NIFAIS). The Committee noted that a Gateway Assessment Exercise is scheduled to take place in September 2021.



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Agreed: The Committee agreed to request an oral briefing from the Department following completion of the Gateway Assessment Exercise.

17. Forward Work Programme

Agreed: The Committee agreed the Forward Work Programme.

18. AOB

The Chairperson advised the Committee that a visit to the Balmoral Show has been organised for 22 September 2021 at 2.00 p.m. Proof of COVID-19 vaccination or natural COVID-19 antibodies is required to gain access.

Agreed: The Committee agreed to advise the clerk of their availability to attend the Balmoral Show and confirmation of their COVID-19 status by 15 September 2021.

The Chairperson advised the Committee that the Department has requested to discontinue the provision of a 3-monthly written update on COVID-19 related issues and move to a reporting by exception/urgent update instead.

Agreed: The Committee agreed to the Department's request to report COVID-19 matters by exception or when an urgent issues arises.

19. Date, time and place of the next meeting

The next meeting of the Committee for Agriculture, Environment and Rural Affairs will take place on Thursday 16 September 2021 at 10.00 a.m. and will be hybrid meeting streamed on the Assembly's website.

The meeting was adjourned at 1.09 p.m.



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Declan McAleer, MLA
Chairperson, Agriculture, Environment and Rural Affairs Committee