

**COMMITTEE FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS**

**MINUTES OF PROCEEDINGS**

**THURSDAY 10 DECEMBER 2020  
ROOM 30, PARLIAMENT BUILDINGS**

Present: Mr Declan McAleer MLA (Chairperson)  
Mr Philip McGuigan MLA (Deputy Chairperson via Starleaf)  
Ms Clare Bailey MLA (via StarLeaf)  
Mrs Rosemary Barton MLA  
Mr John Blair MLA (via StarLeaf)  
Mr Maurice Bradley MLA (via StarLeaf)  
Mr Harry Harvey MLA  
Mr William Irwin MLA  
Mr Patsy McGlone MLA (via StarLeaf)

In attendance: Ms Barbara Love, Committee Clerk  
Ms Stella McArdle, Committee Clerk  
Ms Elaine Farrell, Assistant Clerk  
Ms Marion Johnson, Clerical Supervisor (via StarLeaf)  
Ms Kate Duffy, Clerical Officer (via StarLeaf)

*The Committee commenced in Closed Session at 10.05 a.m.*

The clerk briefed the Committee on the Common Frameworks on Animal Health and Welfare and Zootechnical Breeding.

*Mr Irwin left the meeting at 10.08 a.m.*

*Mr Irwin rejoined the meeting at 10.10 a.m.*

*Mr McGlone joined the meeting at 10.15 a.m.*

*The meeting moved into Open Session at 10.24 a.m.*

## **1. Apologies**

None

## **2. Chairperson's Business**

*Agreed:* The Committee agreed to write to the Minister to wish him a speedy recovery following his emergency surgery at the weekend.

The Chairperson advised the Committee that due to the Minister's absence the agenda item on the Revised TB Strategy has been removed from the agenda. The Chairperson further advised that the availability of the Minister for the meeting on 17 December is now uncertain and there is a possibility that the Permanent Secretary may attend in his place.

## **3. Minutes of the meeting held on 3 December 2020**

*Agreed:* The Committee agreed the minutes of the meeting held on 3 December 2020.

## **4. Matters arising**

None.

## **5. Oral Evidence DAERA: Common Framework on Zootechnical Breeding: Provisional Approval and Engagement and Animal Health and Welfare**

The following departmental officials joined the meeting via StarLeaf at 10.25 a.m.:

Neil Gartland, Director, Animal Health & Welfare Policy Division  
Jim Blee, Deputy Director, Animal Health & Welfare Policy Division  
Christopher Andrews, Grade 7, Animal Identification & Welfare Branch  
Naomi Callaghan, Deputy Director, Animal Health & Welfare Transition

The officials briefed the Committee on the Common Framework on Zootechnical Breeding and this was followed by a question and answer session.

The oral evidence session was reported by Hansard.

*The Chairperson left the meeting at 10.49 a.m.*

*Mr Harvey assumed the chair.*

*The Chairperson rejoined the meeting at 11.01 a.m. and resumed the chair.*

*Mr Blair joined the meeting at 11.05 a.m.*

The officials briefed the Committee on the Common Framework on Animal Health and Welfare.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

*Agreed:* The Committee agreed to forward a number of questions on issues not explored with the officials to the Department for response.

**6. SR: Draft Alien and Locally Absent Species (Aquaculture) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020**

The Committee considered SR: Draft Alien and Locally Absent Species (Aquaculture) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020. The Committee noted that the SL1 had been considered at the meeting on 5 November 2020 when Members indicated that they were content with the merits of the policy.

The Committee noted that the Examiner of Statutory Rules has reported on the Rule and she has no concerns to raise.

*The meeting suspended at 11.31 a.m.*

*The meeting resumed at 11.35 a.m.*

*Agreed:* The Committee agreed to defer consideration of agenda item 6 and moved to consideration of agenda item 7.

**7. Written Briefing DAERA: SL1 The Plant Health, Seeds, Seed Potatoes and Propagating Material (Amendment) (EU Exit) Regulations (Northern Ireland) 2020**

The Committee discussed SL1 The Plant Health, Seeds, Seed Potatoes and Propagating Material (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 which will amend four domestic regulations to implement EU Directives and Regulations included in the Protocol in ensure that subordinate legislation can continue to operate effectively after the EU Exit Transition period ends on 31 December 2020.

The following departmental official joined the meeting via StarLeaf at a.m. 11.35 a.m.

John Joe O'Boyle, Chief Executive, Forest Service

The official answered a question in relation to the breach of the 21-day rule.

Mrs Rosemary Barton MLA indicated that she was opposed to the SL1.

*Agreed:* The Committee noted SL1 The Plant Health, Seeds, Seed Potatoes and Propagating Material (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 and agreed that it was content with the merits of the policy and that it should move to the next legislative stage.

**8. Written Briefing DAERA: SL1 The Marketing of Vegetable and Ornamental Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2020**

The Committee noted the SL1 The Marketing of Vegetable and Ornamental Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 which will ensure that subordinate legislation relating to the marketing of vegetable and ornamental plant propagating material can continue to operate effectively after the EU Exit transition period ends on 31 December 2020.

*Agreed:* The Committee noted SL1 The Marketing of Vegetable and Ornamental Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 and agreed that it was content with the merits of the policy and that it should move to the next legislative stage.

**9. Written Briefing DAERA: SL1 The Marketing of Seed Potatoes, Plant and Propagating Material Regulations (Northern Ireland) 2020**

The Committee considered SL1 The Marketing of Seed Potatoes, Plant and Propagating Material Regulations (Northern Ireland) 2020 which will amend Northern Ireland Plant Health Statutory Rules in respect of Regulated Non-Quarantined Pests which are applicable to marketing within the EU and third countries listed to market into the EU Regulatory Zone.

The following departmental official joined the meeting via StarLeaf at 11.41 a.m.

John Joe O'Boyle, Chief Executive, Forest Service  
Diane Stevenson, Director, Plant Health Division

The officials answered a question regarding the application of the legislation to England, Scotland and Wales.

*Agreed:* The Committee considered SL1 The Marketing of Seed Potatoes, Plant and Propagating Material Regulations (Northern Ireland) 2020 and agreed that it was content with the merits of the policy and that it should move to the next legislative stage.

#### **10. Written Briefing DAERA: SL1 The Horses (Free Access to Competitions) (Amendment) Regulations (Northern Ireland) 2020**

The Committee considered SL1 The Horses (Free Access to Competitions) (Amendment) Regulations (Northern Ireland) 2020 which will amend domestic legislation to equine access to competitions to enable DAERA to reserve a portion of the prize money from certain categories of competitions for specific purposes.

The following departmental official joined the meeting via StarLeaf at 11.44 a.m.

Nicola Connery, Sustainable Agri-Food Development Division

The official answered a question in relation to the current amount of prize money that is generated through competitions.

The Chairperson left the meeting at 11.46 a.m.  
Mr Harvey assumed the chair.

*Agreed:* The Committee considered SL1 The Horses (Free Access to Competitions) (Amendment) Regulations (Northern Ireland) 2020 and agreed that it was content with the merits of the policy and that it should move to the next legislative stage.

*The meeting suspended at 11.50 a.m.*

*Mr McGlone left the meeting at 11.55 a.m.*

*The meeting resumed at 11.56 a.m. Mr McGuigan assumed the chair.*

#### **11. Written Briefing DAERA: SL1 The Producer Responsibility Obligations (Packaging Waste) (Amendment) (Northern Ireland) Regulations 2020**

*Noted:* The Committee noted that the Department has advised that the issues raised at the meeting on 3 December 2020 on the SL1 have not yet been responded to; therefore, the agenda item has been deferred until the meeting on 17 December 2020.

#### **12. Written Briefing DAERA: Progress against the DAERA Business Plan Targets**

The Committee noted the written briefing on the Progress against the DAERA Business Plan Targets.

*Agreed:* The Committee agreed to write to the Department to request that the briefing scheduled for 17 December 2020 with the Minister includes an update on the impact of the EU negotiations on the business targets.

#### **13. Written Briefing DAERA: UK Framework Outline Agreement for the Common Framework on Radioactive Substances**

*Noted:* The Committee noted the departmental written briefing on UK Framework Outline Agreement for the Common Framework on Radioactive Substances.

*Mr Irwin left the meeting at 12.01 p.m.*

*Mr Irwin rejoined the meeting at 12.02 p.m.*

*Mr McAleer rejoined the meeting at 12.02 p.m. and resumed the chair.*

#### **14. Written Briefing DAERA: EU Exit Preparation and Delivery**

*Noted:* The Committee noted the departmental written briefing on EU Exit Preparation and Delivery and that any questions should be forwarded to the clerk by close of play.

#### **15. Written Briefing DAERA: The Common Framework on Industrial Emissions: Best Available Techniques**

*Noted:* The Committee noted the departmental written briefing on The Common Framework on Industrial Emissions: Best Available Techniques.

*Agreed:* The Committee to return to Agenda item 6

#### **16. SR: Draft Alien and Locally Absent Species (Aquaculture) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020**

Question put:

That the Committee for Agriculture, Environment and Rural Affairs has considered SR: The Alien and Locally Absent Species (Aquaculture) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 and recommends that it be approved by the Assembly.

The Committee divided:

**Ayes**

Clare Bailey  
John Blair  
Declan McAleer  
Philip McGuigan

**Noes**

Rosemary Barton

**Abstain**

Maurice Bradley  
Harry Harvey  
William Irwin

The question is carried.

## 17. Correspondence

The Committee noted the following:

- i. Correspondence from NI Farm Groups in relation to a proposal for a Farm Welfare Bill;
- ii. Correspondence from the Department on the proposals for a consultation on The Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013;
- iii. Correspondence from the Committee for Finance on the Analysis of Forecast Outturn - Quarterly Report;
- iv. Correspondence from the Department in relation to issues raised at the meeting on 19 November 2020;
- v. Correspondence from the Department in relation to an issue raised at the meeting on 19 November 2020 in respect of SI The Control of Mercury (Amendment) (EU Exit) Regulations 2020;
- vi. Correspondence from the Department in respect of an update on the Lough Neagh Financial Support Scheme;
- vii. Correspondence from Scottish Parliament Committee on Environment, Climate Change & Land Reform Committee on Common Framework on a UK Emissions Trading Scheme;
- viii. Correspondence from Jim Shannon MP on a FOI request to the Department;
- ix. Correspondence from the Department on Statutory Instrument Defra WST-04: The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020;
- x. Correspondence from the Department on the launch of a discussion document on the Climate Change Bill.

The Committee considered correspondence from Asthma UK/British Lung Foundation requesting to brief the Committee on the Clean Air Strategy.

*Agreed:* The Committee agreed to request a written briefing from Asthma UK/British Lung Foundation in due course.

The Committee considered correspondence from the Justice Committee on the Criminal Justice (Committal Reform) Bill.

*Agreed:* The Committee agreed to write to the Justice Committee to request that the information provided in the EFM under the Rural Needs Assessment is checked for accuracy with witnesses as appropriate.

The Committee considered correspondence from the Ulster Angling Federation on the land slippage incident at Meenbog Wind Farm.

*Agreed:* The Committee agreed to write to the Ulster Angling Federation to advise that the Committee will be taking oral evidence from the Loughs Agency on the issue on 21 January 2021.

The Committee considered correspondence from the Department on the Common Framework for Industrial Emissions.

*Agreed:* The Committee agreed to write to the Department to request a written briefing on the full details of the engagement referred to in the letter; the Committee further agreed to request an oral briefing at an appropriate time.

The Committee considered correspondence from NI Meat Exporters Association in relation to the prioritisation of meat processor factory worker for the Covid-19 vaccination.

*Agreed:* The Committee agreed to forward the letter to the Minister asking him to take the matter forward with the Health Minister. The Committee also agreed to copy the letter to the Health Committee for information.

The Committee considered correspondence from the Committee for the Economy on a call for a co-ordinated approach to Student Mental Health, Welfare and Well-being.

*Agreed:* The Committee agreed to write to the Department to ask how the Department intends to respond to the request particularly in relation to the number of students from rural



areas who may be at a disadvantage from the urban counterparts.

## **18. Forward Work Programme**

- Noted:* The Committee noted the oral evidence session from the Department scheduled for the meeting on 17 December 2020 which will include EU Exit.
- Noted:* The Committee noted that the scheduled oral briefing from the Minister on 17 December 2020 may not be covered by the Permanent Secretary due to the Minister's recuperation from surgery.
- Noted:* The Committee noted the oral briefing on the December Monitoring Round for the meeting on 17 December 2020.
- Agreed:* The Committee agreed to seek an oral briefing on the Climate Change Bill for 17 December 2017, if possible.
- Agreed:* The Committee agreed to schedule the oral briefing on the Revised TB Strategy to the meeting on 14 January 2021.
- Agreed:* The Committee agreed the Forward Work Programme.

## **19. AOB**

None.

## **20. 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 17 December 2020 at 9.15 a.m. in Room 30, Parliament Buildings.

*The meeting moved into Closed Session at 12.18 p.m.*

The Committee discussed its approach to its consideration on Common Frameworks in 2021.

- Agreed:* The Committee agreed to seek further information from the Department in relation to the Common Frameworks to enable the Committee to prioritise, if necessary.

*The meeting adjourned at 12.28 p.m.*

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Declan McAleer, Chairperson, Committee for Agriculture and Rural Development

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Date