

COMMITTEE FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS

MINUTES OF PROCEEDINGS

**THURSDAY 12 NOVEMBER 2020
ROOM 30, PARLIAMENT BUILDINGS**

Present: Mr Declan McAleer MLA (Chairperson)
Mr Philip McGuigan MLA (Deputy Chairperson)
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 Stella McArdle, Committee Clerk
Ms Barbara Love, Committee Clerk
Ms Elaine Farrell, Assistant Clerk
Ms Marion Johnson, Clerical Supervisor
Ms Kate Duffy, Clerical Officer

The Committee commenced at 10.05 a.m. in Open Session

1. Apologies

None.

2. Minutes of the meeting held on 5 November 2020

Agreed: The Committee agreed the minutes of the meeting held on 5 November 2020.

3. Matters arising

The Chairperson advised the Committee that the Convenor and Deputy Convenor of the Culture, Tourism, Europe and External Affairs Committee in the Scottish Parliament have agreed to a virtual informal meeting with the Committee on 19 November 2020 to discuss EU Exit and possible impacts on the ports. Members are requested to advise the clerk if they wish to attend.

4. Oral Evidence Session DAERA: The Environment Strategy and Green Growth Strategy and Delivery Framework

The following departmental officials joined the meeting via StarLeaf at 10.09 a.m.

David Small, Deputy Secretary
Simon Webb, Head of Neighbourhood Efficiency Division

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

The oral evidence session was reported by Hansard.

Mr Irwin joined the meeting at 10.11 a.m.

Mr Blair joined the meeting by StarLeaf at 10.36 a.m.

The Chairperson left the meeting at 11.13 a.m. The Deputy Chairperson assumed the Chair.

The Chairperson thanked the officials for their attendance.

The following departmental officials joined the meeting via StarLeaf at 11.17 a.m.

Tracey Teague, Director of Resource Efficiency Division
Arron Wright, Acting Director Green Growth

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

The oral evidence session was reported by Hansard.

The Chairperson rejoined the meeting at 11.31 a.m. and resumed the Chair.

Agreed: The Committee agreed to write to the Department to request details of the stakeholder involvement for the Green Growth Strategy co-design.

5. Oral Evidence Session DAERA: BEIS/TP/034: The Greenhouse Gas Emissions Trading Scheme (EU Exit) (Amendment) Regulations 2020

The following departmental officials joined the meeting via StarLeaf at 12.00 p.m.

John Mills, Head of Environmental Policy Division
Richard Coey, Grade 7, Brexit Environment & EU ETS Team
Hugh McGinn, Grade 7, Principal Pollution Inspector

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

The oral evidence session was reported by Hansard.

Agreed: The Committee agreed that the clerk would verbally request an update on the local assessment of the Greenhouse Gas Emissions Trading Scheme SI which was to be provided to the Committee for the debate in the Assembly 3 November 2020.

Agreed: The Committee wishes it to be clearly understood that due to the lack of information on BEIS/TP/034: The Greenhouse Gas Emissions Trading Scheme (EU Exit) (Amendment) Regulations 2020 and the limited time that it has had to consider it, it has been unable to fully explore and understand the potential impacts and implications for this jurisdiction. This difficulty has been further compounded by the fact that it is being asked to do in the context of the legal uncertainties around the UK Internal Market Bill and the Withdrawal Agreement.

6. SR 2020/219: The Ornamental Horticulture Industry (Coronavirus Financial Assistance Scheme) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/219: The Ornamental Horticulture Industry (Coronavirus Financial Assistance Scheme) Regulations (Northern Ireland) 2020 which will compensate the horticulture industry following financial loss due to Covid-19.

Noted: The Committee noted the report from the Examiner of Statutory Rules which highlighted that the regulations were in breach of the 21-day rule but that she was satisfied with the explanation from the Department on this occasion.

Question put and agreed:

That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2020/219: The Ornamental Horticulture Industry (Coronavirus Financial Assistance Scheme) Regulations (Northern Ireland) 2020 has no objection to the Rule.

7. Written briefing DAERA: SL1 The Organic Produce Regulations (Northern Ireland) 2020

The Committee noted the written briefing on SL1 The Organic Produce Regulations (Northern Ireland) 2020 which will replicate the Organic Produce Regulations 2009 in order to provide the appropriate powers for the administration and enforcement of EU legislation in Northern Ireland as per the requirements within the Northern Ireland Protocol.

Agreed: The Committee noted the merits of the policy and agreed that it should proceed to the next legislative stage.

8. Written Briefing DAERA: SL1 The Genetically Modified Organism (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

The Committee noted the written briefing on SL1 The Genetically Modified (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 which will implement EU legislation listed in the Northern Ireland Protocol in relation to Genetically Modified Organism by resolving operability issues.

Agreed: The Committee agreed to write to the Department to request information on what systems and procedures are in place to allow the Department to make a decision if an organisation wanted to market a Genetically Modified Organism.

Agreed: The Committee noted the merits of the policy and agreed that it should proceed to the next legislative stage.

9. Written Briefing DAERA: SL1 The Pesticides and Invasive Alien Species (Enforcement & Permitting) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

The Committee noted the written briefing on SL1 The Pesticides and Invasive Alien Species (Enforcement & Permitting) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 which will implement EU legislation listed in the Northern Ireland Protocol in relation to pesticides and invasive alien species by resolving operability issues.

Agreed: The Committee noted the merits of the policy and agreed that it should proceed to the next legislative stage.

10. Written Briefing DAERA: Further Legislative Consent Motion (LCM) on the Medicines and Medical Devices Bill

The following departmental officials joined the meeting via StarLeaf at 12.21 p.m.

Naomi Callaghan, Acting Director, Animal Health & Welfare Policy Division
Frances Kearney, Veterinary Officer Animal Health Group
Alistair McIlroy, Head of Animal Health Group

The Committee considered the correspondence from the Department in respect of the further LCM on the Medicines and Medical Devices Bill which is now required to take account of recent UK Government amendments to the Bill in relation to veterinary medicines.

Agreed: The Committee agreed to respond to the Health Committee to advise that it has no concerns in respect of the LCM.

11. Written Briefing DAERA: Monthly Covid-19 Update

The Committee considered the written briefing on the monthly Covid-19 update.

Agreed: The Committee agreed to write to the Department to request clarification and further information on the volume of SRs in relation to EU Exit which will come to the Committee for consideration in due course.

12. Written Briefing DAERA: SI/Defra/AQ/04: The Air Quality (Amendment) (Northern Ireland) (EU Exit) Regulations 2020

The Committee noted the written briefing on SI/Defra/AQ/04: The Air Quality (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 which will amend the Air Quality (Miscellaneous Amendment and Revocation of Retained Direct EU Legislation) (EU Exit) Regulations 2018 and the Air Quality (Amendment of Domestic Regulations) (EU Exit) Regulations 2019.

Agreed: The Committee wishes it to be clearly understood that due to the lack of information on SI Defra/AQ/04: The Air Quality (Amendment) (Northern Ireland) (EU Exit) Regulations 2020 (Category 2) and the limited time that it has had to consider it, it has been unable to fully explore and understand the potential impacts and implications to this jurisdiction. This difficulty has been further compounded by the fact that it is being asked to do so in the context of the legal uncertainties around the UK Internal Market Bill and The Withdrawal Agreement.

13. Correspondence

The Committee noted the following:

- i. The Department's Annual Report and Accounts 2019-20.
- ii. Correspondence from the Committee for the Economy on the Mutual Recognition of Professional Qualification.

The Committee considered correspondence from the Department on its intention to launch a public consultation on 20 November 2020 on the development of fisheries management measures in Marine Protected Areas and the establishment of scallop enhancement sires in the NI inshore region.

Agreed: The Committee agreed to write to the Department to synopsis of the consultation responses in due course.

The Committee considered copied emailed correspondence from a member of the public to local MPs on the Food Standards and Farming Bill in Westminster.

Agreed: The Committee agreed to write to the member of the public to advise that it has already made representation on this issue to local MPs, parliamentary committees and the DAERA Minister.

14. Forward Work Programme

The Committee considered the draft Forward Work Programme.

Agreed: The Committee agreed to schedule an oral briefing with the Ulster Farmers' Union to discuss the Future Agricultural Policy at the meeting on 19 November 2020.

Agreed: The Committee agreed to request a written briefing on the Future Agriculture Policy from NIAPA.

Agreed: The Committee agreed to request a press release to coincide with the departmental briefing on the Future Agriculture Policy.

Agreed: The Committee agreed the Forward Work Programme.

15.AOB

Agreed: The Committee agreed to write to the Department to request an urgent response to the issue of recent media coverage on a whether a customs IT system for dealing with trade between Northern Ireland and Great Britain will work adequately in January 2021. In addition, the Committee request further information on the HRMC IT system known as the Customs Declaration Service.

16.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 19 November 2020 at 9.30 a.m. in Room 30, Parliament Buildings.

Agreed: The Committee agreed to move into Closed Session to discuss the outcome of the Effective Questioning Workshop.

The meeting moved into Closed Session at 12.32 p.m.

Mr McGlone left the meeting at 12.33 p.m.

The meeting adjourned at 12.36 p.m.

Declan McAleer, Chairperson, Committee for Agriculture and Rural Development

Date