

COMMITTEE FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS

MINUTES OF PROCEEDINGS

**THURSDAY 17 SEPTEMBER 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
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 (via StarLeaf)
Ms Elaine Farrell, Assistant Clerk
Ms Marion Johnson, Clerical Supervisor
Ms Suzie Cave, Research Officer (via StarLeaf)

The meeting commenced at 9:24 a.m. in open session

1. Apologies

None

2. Chairperson's Business

The Chairperson advised the Committee that the Permanent Secretary has confirmed that he is unable to brief the Committee on the Internal Market Bill any earlier than 24 September 2020 due to diary commitments.

Mr Irwin joined the meeting at 9:26 a.m.

Agreed: The Committee agreed to forward a number of questions on the Internal Market Bill to the Department for answer at the meeting on 24 September 2020.

3. Draft minutes

Agreed: The Committee agreed the minutes of the meeting held on 10 September 2020.

4. Matters arising

There are no matters arising.

5. Oral Briefing RalSe: Common Framework Emissions Trading Scheme

The Assembly Research Officer joined the meeting via StarLeaf at 9.34 a.m. and presented her briefing paper on the Common Framework Emissions Trading Scheme.

The Chairperson left the meeting at 10.10 a.m. The Deputy Chairperson assumed the Chair.

The Chairperson rejoined the meeting at 10.14 a.m. and resumed the Chair.

*Mr Blair left the meeting at 10:22 a.m.
Mr Blair rejoined the meeting at 10:33 a.m.*

The Chairperson thanked the Research Officer for her attendance.

Agreed: The Committee agreed to request that the Research Officer provides further information on Agricultural Support and State Aid in respect of Article 10 and Annex 5 of the Protocol.

6. Departmental Oral Briefing: EU Exit Legislation, Common Frameworks and SI Greenhouse Gas Emissions Trading Scheme

The following departmental officials joined the meeting via StarLeaf at 10:35 am:

John Mills, Grade 5, Director of Environmental Policy Division
Hugh McGinn, Grade 7, Principal Pollution Inspector
Richard Coey, Grade 7, Brexit Environment & EU ETS Team

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

The oral briefing was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to write to the Department to request the summary document which was completed on the request of the deputy First Minister on the impact of the land border.

Agreed: The Committee agreed to write to the Department to request a written briefing on the allowances allocation methodology.

7. Departmental Oral Briefing: Update on EU Exit Preparations

The following departmental officials joined the meeting via StarLeaf at 11:33 am:

John Mills, Grade 5, Director of Environmental Policy Division
Richard Coey, Grade 7, Brexit Environment & EU ETS Team
Helen Lewis, Grade 7, EU Transition Manager
Anthony Courtney, Grade 7, Head of Waste Framework & Environmental Liability

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

The oral briefing was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Mr Harvey left the meeting at 11.58 a.m.

8. Departmental Oral Briefing: Statutory Instruments with Devolved Content to be laid at Westminster

The Chairperson advised the Committee that this agenda item has been deferred and an update will be provided during the Closed Session at the end of the meeting.

9. Departmental Written Briefing: Update on the UK Government Fisheries Bill

The Committee noted the departmental written briefing on the update to the UK Government Fisheries Bill.

Agreed: The Committee agreed to schedule a departmental oral briefing on the UKG Fisheries Bill for the meeting on 24 September 2020.

Agreed: The Committee agreed to place the update on the Committee webpage and to advise stakeholders who had previously given oral and written evidence on the Fisheries Bill that the update has been uploaded. The Committee further agreed to request that stakeholders provide any comments on the update to the Committee by 23 September 2020.

10. Departmental Written Briefing: Common Frameworks

The Committee noted the departmental written briefing on Common Frameworks.

Agreed: The Committee agreed to forward a number of questions to the Department for response.

11. SR 2020/152: The Edible Crabs (Conservation) Regulations (NI) 2020

The Committee considered SR 2020/152: The Edible Crabs (Conservation) Regulations (NI) 2020 which will amend the title from “The Edible Crabs (Prohibition on Landing) Regulations to better reflect the purpose of the regulations.

The Committee noted that the Examiner of Statutory Rules has identified a minor drafting error in the regulations but is content with the explanation provided by the Department.

Mr McGuigan raised a point that he was not content with the use of the word “foreign” in relation to fishing vessels from the Republic of Ireland.

The following Departmental officials joined the meeting by StarLeaf at 12:00 p.m.:

Claire Vincent, Grade 5, Director of Marine and Fisheries

Paddy Campbell, Grade 7, Sea Fisheries and Policy Grants

The officials provided clarification on the term “foreign” contained in the regulations and advised that it was an internationally recognised term to define vessels that are not registered in whatever jurisdiction is being referred to.

Mr Harvey rejoined the meeting at 12.05 p.m.

Question put and agreed:

That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2020/152: The Edible Crabs (Conservation) Regulations (NI) 2020 and has no objection to the rule.

12. SR 2020/153: The Edible Crabs (Undersized) Order (NI) 2020

The Committee considered SR 2020/153: The Edible Crabs (Undersized) Order (NI) 2020 which will amend the title from “The Edible Crabs (Minimum Landing Size) Order (NI) 2020 in order to revoke the Order and will for the minimum landing size of edible crab to be increased from 130mm to 140 mm carapace.

Question put and agreed:

That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2020/153: The Edible Crabs (Undersized) Order (NI) 2020 and has no objection to the Rule.

13. Correspondence

The Committee noted the following items of correspondence:

- i. The Pivotal Report: Priorities for Recovery;
- ii. The NI Environment Agency Regulatory Charging Policy 2016-2021;
- iii. Correspondence from the Department in relation to an issue raised at the Committee meeting on 3 September 2002 on payments made to the beef sector under the Agricultural Commodities Coronavirus Income Support Scheme 2020;
- iv. Correspondence from the Committee for Finance providing a summary of the allocation of Covid-19 funding to NICS departments;
- v. The Twentieth Report of the Examiner of Statutory Rules which covers SR 2020/94: The Direct Payments to Farmers Regulations (NI) which was considered and agreed at the Committee meeting on 10 September 2020.

The Committee considered correspondence from the Minister on the Future Agricultural Policy and the removing of the Greening Requirements from the beginning of the scheme year in 2021.

Agreed: The Committee agreed to write to the Department to request an oral briefing on the Future Agricultural Policy in due course.

Agreed: The Committee agreed to write to the Department to request a written briefing on any further changes being proposed to the Future Agricultural Policy and the rationale behind the removal of the greening requirement.

14. Forward Work Programme

The Committee discussed the draft Forward Work Programme for September-October 2020.

Agreed: The Committee agreed to commence the meeting on 24 September 2020 at 9.00 a.m.

Agreed: The Committee agreed the Forward Work Programme.

15. AOB

The Committee agreed to write to the Livestock Meat Commission to seek further information on the possibility of local beef obtaining Protected Geographical Indication status, similar to that which has been proposed in the Republic of Ireland.

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 24 September at 9.00 a.m. in Room 30, Parliament Buildings.

The meeting moved into Closed Session at 12.11 p.m.

The Committee discussed the Forward Work Programme and its approach to scrutiny of EU Exit Legislation.

Mr Blair left the meeting at 12.19 p.m.
Mr Blair rejoined the meeting at 12.26 p.m.

- Agreed:* The Committee agreed to request an oral evidence session with the Department on EU Exit Update and Secondary Legislation.
- Agreed:* The Committee agreed to explore the issue of obtaining Legal Advice in relation to the role of the Committee when considering EU Exit Legislation and Statutory Instruments, until it had received the proposed guidance on this.
- Agreed:* The Committee agreed to defer the oral evidence session with VSAHG/FFG until another suitable date but to request a written briefing in the meantime.

The meeting adjourned at 12.35 p.m.

Declan McAleer, Chairperson, Committee for Agriculture and Rural Development

Date