

COMMITTEE FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS

MINUTES OF PROCEEDINGS

THURSDAY 22 OCTOBER 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
Ms Elaine Farrell, Assistant Clerk
Ms Marion Johnson, Clerical Supervisor
Ms Kate Duffy, Clerical Officer

The Committee commenced at 9.33 in Closed Session a.m.

The clerk briefed the Committee on the Greenhouse Gas Emissions Trading Scheme Order 2020.

Mr Irwin joined the meeting at 9.50 a.m.

Mr McGlone left the meeting at 10.10 a.m.

Ms Bailey left the meeting at 10.12 a.m.

The meeting moved into Open Session at 10.15 a.m.

1. Apologies

None.

2. Chairperson's Business

The Chairperson advised the Committee that he has been made aware of an amendment being tabled to the UKG Environment Bill.

Agreed: The Committee agreed to write to the Department to request a written update on the potential implications of the amendment.

3. Minutes of the meeting held on 15 October 2020

Agreed: The Committee agreed the minutes of the meeting held on 15 October 2020.

4. Matters arising

None.

5. Oral Evidence Session DAERA: The Greenhouse Gas Emissions Trading Scheme Order 2020

The following departmental officials joined the meeting via StarLeaf at 10.18 a.m.

John Mills, Grade 5, Head of Environmental Policy Division
Richard Coey, Grade 7, Environmental Policy Division
Hugh McGinn, Principal Scientific Officer
Phil Elliott, Senior Scientific Officer

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

The Chairperson left the meeting at 10.39 a.m. The Deputy Chairperson assumed the Chair.

The Chairperson rejoined the meeting at 10.42 a.m. and resumed the Chair.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed the issues that they wished the Chairperson to raise when he speaks on behalf of the Committee on the debate on 3 November 2020.

6. Written briefing DAERA: SL1 The Plant Health and Diseases of Animals (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

The Committee noted the written briefing on SL1 The Plant Health and Diseases of Animals (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 which will amend primary legislation relating to plant health and animal health and welfare to revoke the relevant provisions in the “no deal SI” and make a number of technical amendments to ensure that departmental primary legislation aligns with the NI Protocol.

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

7. Written briefing DAERA: SL1 The Marketing of Plant and Propagating Material (Legislative Functions) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

The Committee noted the written briefing on the SL1 The Marketing of Plant and Propagating Material (Legislative Functions) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 which will amend plant health operable legislation in respect of the Withdrawal Agreement and the Protocol and transfer to the Department section 2(2) functions to the policy areas.

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 Agriculture, Animals and Aquaculture (Health Identification, Welfare, Trade etc) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

The Committee noted the written briefing on the SL1 The Agriculture, Animals and Aquaculture (Health Identification, Welfare, Trade etc) (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 which will amend the provisions of subordinate legislation through a number of technical amendments in order to make them compatible with the Withdrawal Agreement and the Protocol.

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 Seed Marketing (Amendment) Regulations (Northern Ireland) 2020

The Committee noted the written briefing on the SL1 The Seed Marketing (Amendment) Regulations (Northern Ireland) 2020 which will amend the Seed Marketing Regulations (NI) 2016 in order to transpose the requirements of Commission Implementing Directives (EU) 2019/990, (EU) 2020/432 and (EU) 2020/177 to ensure that the Department complies with its obligations under EU law.

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

10. Oral Evidence Session DAERA: SI Defra/WST/04: The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020 (Cat 3)

No papers were provided for this agenda item and it was not considered by the Committee.

Noted: The Committee noted that the Minister has given his consent to the SI and that it has been laid at Westminster.

Mr Blair left the meeting at 10.56 a.m.

11. Oral Evidence Session DAERA: SI Defra/AQ/04: The Air Quality (Northern Ireland Protocol) Regulations 2020 (Cat 2)

No papers were provided for this agenda item and it was not considered by the Committee.

Noted: The Committee noted that the Department has advised that the SI was laid in Westminster in error and will be revoked and re-laid in due course.

12. Oral Evidence Session DAERA: SI Defra/CHM/12: The Control of Mercury (Amendment) (EU Exit) Regulations 2020 (Cat 2)

No papers were provided for this agenda item and it was not considered by the Committee.

Noted: The Committee noted that the Minister has given his consent to the SI and that it has been laid in Westminster.

13. Oral Evidence Session DAERA: SI/ENV/23: The Environment (Miscellaneous) Amendments (EU Exit) Regulations 2020 (Cat 1)

Noted: The Committee noted that the Minister has given his consent for the SI and that it has been laid in Westminster, therefore it was not considered by the Committee.

14. Oral Evidence Session DAERA: SI/Defra/WST/09: The Hazardous Substances and Packaging (Legislative Functions and Amendment) (EU Exit) Regulations 2020

Noted: The Committee noted that the SI is a Reserved Matter which has already been laid in Westminster, therefore it was not considered by the Committee.

15. DAERA Written Briefing: Update on EU Exit Preparation and Delivery

Noted: The Committee noted the written briefing on EU Exit Preparation and Delivery alongside a written briefing on Brexit Operational Readiness.

16. DAERA Written Briefing: Consultation on Further Education Support and Charging Policy at CAFRE.

The Committee considered the departmental written briefing on the consultation responses on Further Education Support and Charging Policy at CAFRE.

Agreed: The Committee agreed to write to the Department to request that it updates the Committee on the next stage in the process.

17. Correspondence

The Committee noted the following:

- i. Correspondence from Lord Teverson, Chair of the House of Lords EU Sub Committee on issues that it had raised with Defra on agri-food and the Northern Ireland Protocol.
- ii. The Northern Ireland Environment Agency Annual Report and Accounts 2019/20.
- iii. Correspondence from the House of the Oireachtas Joint Committee on Agriculture and Marine on port preparations for EU Exit.
- iv. Correspondence from Girl Guiding Ulster in respect of a zoom event to be held on 4 November 2020.

- v. Correspondence from the Department on the pre-consultation on Disability Action Plan 2019-2024.
- vi. Correspondence from the Department on the Diquat Emergency Use Derogation for Northern Ireland.

The Committee considered correspondence from the Department in respect of the number of Defra Statutory Instruments (SI) that had been laid in Westminster week commencing 5 October 2020.

Agreed: The Committee agreed to write to the Department to request that future notifications can include an electronic link to the laid SIs.

The Committee considered correspondence from the Committee for Finance on correspondence it had received from the Finance Minister on future replacements for agricultural funding.

Agreed: The Committee agreed to forward the correspondence to the Department and ask if there are any aspects of future agricultural funding which are a cause for concern.

The Committee noted correspondence from the Youth Climate Association NI which provided clarification regarding a request to meet informally with the Committee.

Agreed: The Committee agreed to hold a virtual informal meeting with the Youth Climate Association NI in November 2020.

18.AOB

Agreed: The Committee agreed to write to the Department to request a written briefing on the importation of seed potatoes, potatoes and other seeds from GB to NI and onwards into the Republic of Ireland.

Mr Blair rejoined the meeting at 11.02 a.m.

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 5 November 2020 at 10.00 a.m. in Room 30, Parliament Buildings.

Agreed: The Committee agreed to move into Closed Session for consideration of the Forward Work Programme.

The meeting moved into Closed Session at 11.03 a.m.

20. Forward Work Programme

The Committee discussed the Forward Work Programme.

Mr Irwin left the meeting at 11.03 a.m.

Mr Irwin rejoined the meeting at 11.04 a.m.

Agreed: The Committee agreed to request a number of oral and written briefings on a range of subject areas for the period November to December 2020. The Committee agreed that papers from DAERA papers should be provided in a timeframe that adhered to the 'Timescales for Interaction between Assembly Committees and Departments'.

Agreed: The Committee agreed the Forward Work Programme.

The meeting adjourned at 11.19 a.m.

Declan McAleer, Chairperson, Committee for Agriculture and Rural Development

Date