



Northern Ireland  
Assembly

# Committee for Agriculture, Environment and Rural Affairs

## Minutes of Proceedings

Thursday 10 February 2022

**Meeting Location:** Room 30/Virtual Meeting via StarLeaf

**Present:** Declan McAleer MLA (Chairperson)

**Present by Video or Teleconference:**

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

**Apologies:** None

**Present:** Nick Henry, Clerk  
Oliver Bellew, Assistant Clerk  
Emma Magee, Clerical Officer

**In Attendance by Video or Teleconference:** Elaine Farrell, Clerical Supervisor



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The meeting commenced at 10.03 a.m. in Open Session.

### 1. Apologies

None

### 2. Chairperson's Business

#### Members' Attendance Record

The Chairperson reminded Members that a record of their attendance at meetings was published online and in the Committee's End of Mandate Legacy Report. Members were asked to check their attendance record and to report any anomalies to the Committee Team.

**Agreed:** Members agreed to check their personal records of attendance.

#### Ministerial Instruction to Withdraw DAERA Staff from Ports of Entry

The Chairperson reminded Members that the Committee had sought an urgent briefing from the Department Permanent Secretary and the Chief Veterinary Officer in respect of the Minister's instruction to suspend SPS checks at ports.

The Chairperson informed Members that, in the context of the on-going legal proceedings on this matter, he had instructed the Clerk to defer the request for a briefing from senior officials until legal proceedings are complete as the engagement would be sub-judice and that a fulsome briefing may not be possible.

**Agreed:** The Committee agreed to seek an urgent written briefing from the Department on the potential implications of the instruction, should it be enacted, in respect of trade, supply chains, staff, animal and plant health. The Committee also agreed to request clarity on what mitigations the Department would intend to implement.



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### 2021-22 Budget Report

The Committee noted a briefing memo by the Clerk in relation to the 2021-22 Budget.

The Chairperson invited the Clerk to brief the Committee on the salient points of the Report.

**Agreed:** The Committee noted the Clerks comments and agreed that they be forwarded to the Committee for Finance for information.

**Agreed:** The Committee agreed to write to the Department to seek a granular breakdown of how the £18.8 million of EU Exit funding in 2021-22 has been used.

### **3. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on 3 February 2022.

### **4. Matters Arising**

#### The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2022

The Chairperson reminded Members that the Committee had referred the draft proposals to the Examiner for Statutory Rules for scrutiny.

Members noted that the ESR could not report on the rules as they comprise part of a Statutory Instrument.

The Committee noted documentation from the Department which states that the regulations will make technical and operational amendments to the UK ETS to ensure consistent enforcement of scheme rules and powers of entry.

**Agreed:** The Committee for Agriculture, Environment and Rural Affairs considered the Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2022 and recommended that it be affirmed by the Assembly.



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### Review of Decisions Independent Panel

In relation to the Direct Payments to Farmers (Review of Decisions) Regulations, the Chairperson informed Members that the Department was about to begin its recruitment process for Chairpersons and Members of the Independent Panels. The Committee noted that Chairpersons would be required to have a legal qualification and relevant experience, and that Members would be required to have an acceptable level of agricultural experience.

The Chairperson informed Members that the Panels would be in place from early April 2022.

### **5. Oral Briefing: DAERA – Avian Influenza Update**

The Chairperson reminded Members that the Committee had requested regular updates by the Department on the local situation in respect of Avian Influenza.

Members recalled that the last briefing had taken place on 13 January and that the Department had provided a written update for information.

The Chairperson welcomed the following officials and invited them to brief the Committee



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Gemma Daly – DAERA  
Neal Gartland – DAERA  
Charlotte Stewart – DAERA

The Chairperson thanked the officials for the briefing.

**Agreed:** The Committee agreed to request a further updated briefing for March 2022.

### 6. Stakeholder Oral Evidence Session – Animal Health and Welfare Common Framework

The Committee noted a briefing memo by the Clerk which provided a summary of the key aspects of the Animal Health and Welfare Common Framework.

The Chairperson welcomed the following representatives to the meeting.

David McClure – Policy Officer, Animal Health, UFU  
Colin Smith – Industry Development Manager, Livestock and Meat Commission  
Sam Strain – Program Manager, Animal Health and Welfare NI  
Colin McCrea – Association of Veterinary Surgeons Practising in NI  
Susan Cunningham – NI Veterinary Association  
Seamus O’Kane – NI Veterinary Association

The Committee discussed the proposed framework with the representatives.

**Agreed:** It was agreed that LMC would share details of its promotional work on highlighting standards and quality assurance work.

The Chairperson thanked the representatives for their engagement.

### 7. Stakeholder Oral Evidence Session – Fertilisers Common Framework

The Committee noted a briefing memo by the Clerk which provided a summary of the key aspects of the Common Framework on Fertilisers.



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The Chairperson welcomed the following representatives to the meeting.

Bruce Steele – Representative, Ulster Arable Society

Gill Gallagher – CEO, NI Grain Trade Association

Eva Ross – Marketing Manager, Yara

Richard Kennedy – Policy Manager, Yara

The Committee discussed the proposed framework with the representatives.

The Chairperson thanked the representatives for their engagement.

### **8. Written Briefing: DAERA – Capacity Issues Planning Consultation Response Times**

The Chairperson reminded Members that the Committee had sought an update on measures the Department had put in place in order to address the backlog of planning applications in the NI Environment Agency.

The Committee noted the Department's response which reported a 42% decline in the backlog and an intention to review its control measures by March 2022.

**Agreed:** The Committee agreed to write to the Department to express its strong concerns about the on-going capacity challenges with regards planning applications and to invite officials to brief the Committee orally on this matter

**Agreed:** The Committee agreed to write to the Department for Infrastructure to seek its views in respect of planning challenges and to scope what options it is considering to streamline delays

### **9. Correspondence**

- i. Correspondence from Mid and East Antrim Borough Council to advise that, as per the Council's Standing Orders, it has been unable to discuss the outstanding issue in respect of corresponding with the Cabinet Office. The matter will be tabled on 7<sup>th</sup> March and the Council will take a decision following



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- this. ii. Supporting documentation from Renewable NI following its briefing on 3 Feb 2022.
- iii. Response from the House of Lords Scrutiny Committee on the Protocol to DEFRA's Explanatory Memorandum in respect of new waste regulations and seeking clarity on a number of issues pertaining to potential divergence between NI and GB.
- iv. UK in a Changing Europe report on diverging of GB policy from EU regulations following Brexit.
- v. The Committee for Finance has forwarded to the Committee a copy of a RalSe briefing it received in respect of Departmental Covid spending.
- vi. Correspondence from the Committee for Finance seeking clarity on whether it received an Explanatory Memoranda from DAERA in respect of 2021-22 spend and the Committee's assessment of the Department's inyear budget activity by the end of Feb 2022.
- vii. Correspondence from the Committee for Justice seeking the Committee's views on the SL1 Domestic Abuse Information-sharing with Schools etc. Regulations (Northern Ireland) 2022 which is relevant to DAERA in respect of CAFRE's operations.
- viii. Tabled response from the HOL Scrutiny Committee on Common Frameworks outlining matters it considers should be drawn to the Committee's attention.
- Agreed:** Members agreed to reply to the Scrutiny Committee with thanks and to include its considerations in the Common Framework Scrutiny papers

### 10. Forward Work Programme

**Agreed:** The Committee agreed the draft Forward Work Programme.

### 11. Any Other Business

None



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### **12. 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 February 2022 at 10.00 a.m. and will be a hybrid meeting streamed on the Assembly's website.

**Agreed: The Committee agreed to move to closed session.**

11.48 a.m. The Committee moved to closed session.

### **13. Clerk's Written Briefing – Committee Discussion – Future Agricultural Policy**

Members noted a briefing paper by the Clerk which summarised the Committee's discussions on the Future Agricultural Policy proposals.

The Chairperson invited the Clerk to brief the Committee on the salient aspects of the proposals.

Clare Bailey MLA left the meeting at 12.31 p.m.

Philip McGuigan left the meeting at 12.32 p.m.

**Agreed:** The Committee agreed to report its concern with:

- The proposal for a minimum claim size of 10 hectares of land;
- The proposed 365 day target of calving interval;
- The lack of female participation in knowledge transfer groups;
- The lack of concrete proposals to promote the place of females in succession planning;
- Measures for new entrants;
- Proposals for cross compliance regulations;
- The lack of consideration to support schemes for sheep.

The meeting was adjourned at 12.41 p.m.





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