



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 24 March 2022

Meeting Location: Virtual Meeting via StarLeaf

Present by Video or Teleconference:

Declan McAleer (Chairperson)
Philip McGuigan MLA (Deputy Chairperson)
Rosemary Barton MLA
John Blair MLA
Harry Harvey MLA
Patsy McGlone MLA

Apologies: William Irwin MLA

In Attendance: Nick Henry, Clerk
Oliver Bellew, Assistant Clerk
Emma Magee, Clerical Officer
Elaine Farrell, Clerical Supervisor

The meeting commenced at 10.06 a.m. in open session

1. Apologies

William Irwin MLA

2. Chairperson's Business

Passing of Mr Jim Carmichael

Members expressed their sympathy at the recent passing of Mr Jim Carmichael formerly of NIAPA and regular contributor to the work of the Committee.

Agreed: The Committee agreed to write to the family of Mr Carmichael and to NIAPA to extend its sympathy.

P&O Ferries Decision to make Staff Redundant

The Chairperson outlined discontent at the decision taken by P&O Ferries to make staff redundant on 17 March 2022 and discussed the informal discussions held with the Committee for the Economy on 18 and 21 March 2022 to discuss the situation.

The Committee expressed its dissatisfaction at P&O's handling of the situation and the impact caused to its staff and the local food supply chain.

The Committee welcomed the mitigation measures which have been taken to mitigate disruption to supplies and the on-going investigations in order to ascertain if P&O has broken its employment law obligations.

Farm Business Improvement Scheme – Tier Two

The Committee acknowledged the Department's decision to extend the deadline for applications for Tier 2 of the Farm Business Scheme until 29 April 2022.

Support Scheme for the Pork Sector

The Committee noted correspondence from the Minister advising of the £2 million support scheme for the pork sector which had been announced on 11 March 2022.

The Chairperson informed Members that the Department had laid the necessary commencement regulations in the Assembly under the provisions of the Agricultural Act 2020.

Guidance during the pre-Election Period

The Chairperson drew Members' attention to CAMS Office guidance for MLAs, their staff and party staff at the end of the Mandate and through the pre-election period. The guidance also referenced the cessation of services to elected representatives

following the dissolution of the Assembly at one minute past midnight on 28 March 2022.

The Chairperson reminded Members that all tablet devices and equipment should be returned to the IS Office as a matter of urgency.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 16 March 2022.

4. Matters Arising

North South Engagement on Common Frameworks

The Chairperson reminded Members that the Committee had sought clarity on the extent of North-South engagement in the drafting of priority Common Frameworks.

The Committee noted a briefing note from Assembly Research and Information Services which highlighted explicit reference to North-South consultations on the Animal Health and Welfare and Plant Health Common Frameworks.

The Committee thanked RaiSe Officials Mark Allen and Suzie Cave for their support, engagement and work throughout the Mandate.

The Marine Licensing Order

The Committee noted a copy of the Examiner of Statutory Rules 20th Report which considered SR 2022/68: The Marine Licensing (Exempted Activities) (Amendment) Order (NI) 2022.

The Chairperson informed Members that the Examiner had no comments to make on the rule.

Agreed: The Committee for Agriculture, Environment and Rural Affairs considered SR 2022/68: The Marine Licensing (Exempted Activities) (Amendment) Order (NI) 2022 and had no objection to the rule.

The Waste (Fees and Charges) (Amendment) Regulations (NI) 2022

The Chairperson informed the Committee that the Waste (Fees and Charges) (Amendment) Regulations (NI) 2022 had been laid in the Assembly Business Office on 18 March and, given the time available, scrutiny will pass to the successor Committee in the new Mandate.

5. Written Briefing: DAERA – Pre-consultation on Ammonia Strategy

The Chairperson reminded Members that the Department had advised that it intended to publish a draft Ammonia Strategy before dissolution and of the Committee's request for a pre-consultation briefing.

Members noted that the Department had failed to provide the requisite documentation in time for the meeting and that the Minister had subsequently confirmed that the Strategy would not be published before the end of the Mandate.

The Committee expressed its hope that the successor Committee would address the situation in the new Mandate.

Agreed: The Committee agreed to write to the Department to express its dissatisfaction at the lack of progress with the Strategy and at the inconsistency of updates from officials.

6. Written Briefing: DAERA – The Sea Fisheries (Amendment etc.) Regulations 2022

The Committee noted a draft Statutory Instrument in respect of the Sea Fisheries (Amendment etc.) Regulations 2022 and had no comments to make.

Agreed: The Committee noted the briefing and agreed to advise the Department of its contentment with the proposals.

7. Written Briefing: DAERA – Bi-monthly Update on the Biomethane Working Group

The Committee noted a written update from the Department in respect of the work of the Biomethane Working Group.

The Chairperson informed Members that the Group was developing a common policy to avoid unintended consequences of increasing the provision of harnessing biomethane and had added Invest NI to its membership.

Members noted that the Department for the Economy and the Utility Regulator were taking forward research in respect of the extent of the biomethane potential locally and its associated costs.

Agreed: The Committee agreed to write to the Department for clarity on the anticipated date for conclusion of the research.

8. Clerk's Written Briefing: Plant Health Common Framework

Members noted a draft position paper on the Committee's consideration of the Plant Health Common Framework.

The Chairperson invited the Clerk to brief the Committee.

Agreed: Members noted the draft paper and agreed that it be forwarded to the Department as the Committee's position and published.

Agreed: The Committee agreed to suspend due to business in the Assembly Chamber.

10.24 a.m. The meeting was suspended.

12.39 p.m. The meeting resumed in public session.

9. Written Briefing: DAERA – Environment Strategy – Update on Work-streams

The Chairperson reminded Members of previous briefings provided by the Department in respect of the Environment Strategy and that the Committee had expressly requested the Department to make the Strategy more ambitious.

Following conclusion of the consultation the following officials briefed the Committee on its outcomes and the revisions made to the Strategy:

Simon Webb – Head of Neighbourhood Environmental Quality, DAERA

Mark Allison – Neighbourhood Environmental Quality, DAERA

This was followed by questions from Members.

The Chairperson thanked the officials.

10. Oral Briefing: DAERA – Bovine TB Eradication Strategy Proposals

The Chairperson reminded Members of previous briefings provided by the Department in respect of its proposals to eradicate bovine TB and invited the following officials to discuss the agreed way forward:

Neal Gartland – Director of Animal Health and Welfare

Michael Hatch – Deputy Chief Veterinary Officer

Raymond Kirke – TB Strategy, Veterinary Epidemiology Unit and Wildlife Unit

Seamus Murray – Senior Principal, TB BR Policy Branch

This was followed by questions from Members.

The Chairperson thanked the officials.

Agreed: The Committee agreed to suspend the meeting.

1.33 p.m. The meeting was suspended.

1.55 p.m. The Committee resumed in public session.

11. Oral Briefing: DAERA and AFBI – Work on Carbon Sequestration

The Committee recalled that, following its last written update on the work of AFBI, Teagasc and QUB on carbon sequestration Members had requested an oral briefing on the research work being carried out.

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

Dr Alistair Carson – Chief Scientific Officer, DAERA

Professor Elizabeth Magowan – Director of Sustainable Agri-Food Sciences Division, AFBI

Pieter-Jan Schon – Director of Environment and Marine Sciences, AFBI

This was followed by questions from Members.

The Chairperson thanked the officials.

12. Clerk's Written Briefing: Plant Varieties and Seeds Common Framework

Members noted a draft position paper on the Committee's consideration of the Plant Varieties and Seeds Common Framework.

The Chairperson invited the Clerk to brief the Committee

Agreed: Members noted the draft paper and agreed that it be forwarded to the Department as the Committee's position and published.

13. Clerk's Written Briefing: Organic Production Common Framework

Members noted a draft position paper on the Committee's consideration of the Organic Production Common Framework.

The Chairperson invited the Clerk to brief the Committee.

Agreed: Members noted the draft paper and agreed that it be forwarded to the Department as the Committee's position and published.

14. Clerk's Written Briefing – Draft Legacy Report

The Committee noted the draft Legacy Report which had been agreed at the Committee meeting on 3 March 2022 and which had been updated to include statistical and financial data.

Agreed: The Committee agreed that the Report be published following the meeting.

Members thanked the Committee Staff for their support throughout the Mandate.

15. Correspondence

- i. Departmental correspondence to the Committee advising that it has extended the deadline for applications to be submitted for Tier 2 of the Farm Capital Business Improvement Scheme by 4 weeks until 29 April 2022.
- ii. An invitation has been extended to the Committee to the official launch event of the research commissioned by the Rural Community Network and NI Rural Women's Network regarding the LEADER programme.
- iii. Departmental response to issues raised by the Committee on 3 March 2022.
- iv. Departmental response to the Committee's queries regarding the consultation on updating the Wildlife Order general licence which is currently being considered by the Minister. The Department confirms that three gull species have been removed from the scope of interim licences which have been issued in recent months either due to a change in conservation status or due to a lack of perceived need.
- v. Departmental response to the Committee's correspondence encouraging it to consider the findings and recommendations of research jointly commissioned by the RCN and NIRWN.
Agreed: The Committee agreed to forward the response to RCN and NIRWN for information.
- vi. Departmental response to Committee request for further information following the briefing by officials on 3 March 2022 in respect of capacity constraints at NIEA.
Agreed: The Committee agreed to write to the Department of Finance to voice its support for additional staff resource to mitigate planning application delays.
- vii. Correspondence between a Member of the Public and DAERA Air and Quality Team by way of follow-up to queries regarding the environmental impact of smoke emissions from open fires.
- viii. The Royal Society for the Protection of Birds has forwarded a copy of its submission/views on the Independent Strategic Review of the Agri-Food Sector.

- ix. Response from Ms Katrina Godfrey to the Committee's letter of 16 March 2022.
- x. Correspondence between the House of Lords Committee on the Protocol and DEFRA outlining its concern about the lack of information and detail provided regarding its analysis on the impact to Northern Ireland arising from EU Regulation 14135/21 regarding the shipment and transit of waste.
- xi. Correspondence between the House of Lords Committee on the Protocol and DEFRA outlining its disappointment that its questions pertaining to EU Regulation 2021/1280 remain unanswered by the Department, and that it is seeking further information and assurances on this matter.
- xii. Correspondence between the House of Lords Committee on the Protocol and DEFRA outlining a number of points of issue in respect of Implementing Regulation) 2021/2285.
- xiii. Correspondence between the Committee for Infrastructure and Renewable NI in respect of planning application delays at NIEA.
- xiv. Departmental advice that it is intending to consult on revision of the Wildlife Order General Licence regime for a period of 10 weeks commencing on 28 March 2022.
Agreed: The Committee agreed to write to the Department to highlight the need to consider extending the scope of general licenses to apply on Sundays.
- xv. The Department for the Economy has replied to the Committee's correspondence of 17 February 2022 regarding potential extension of Covid-19 support for businesses and retailers experiencing downturn in their supply chains and has confirmed that it "has no mandate from the Executive to take forward further schemes outside those already announced.
- xvi. Ministerial correspondence regarding the commencement and operability of the financial support scheme for the pig sector announced on 11 March 2022. Producers who incurred price penalties on pigs that were outside contract specifications from September 2021 to February 2022, and to those who were charged £52.50 per pig for pigs slaughtered by Cranswick Country Foods on Saturday shifts in December 2021 will be eligible to apply from April.
- xvii. Department for Infrastructure response to the Committee's correspondence of 10 March 2022 regarding further queries on the planning system.
- xviii. In accordance with their statutory obligations under the Water and Sewerage Services (Northern Ireland) Order 2006 the Department for Agriculture, Environment and Rural Affairs and Department for Infrastructure have laid a Memorandum of Understanding with the Business Office with regard to monitoring of drinking water quality
- xix. The Department has written to the Committee formally advising that the potential progression of a Legislative Consent Motion in respect of introducing a local offence for pet abduction will not be facilitated before the end of the current mandate and the matter may be considered further after the election
- xx. The Minister has issued a formal response in respect of the Committee's request made on 24 February 2022 to provide short-term compensatory support for the Pork Processing Sector

- xxi. The Minister has replied to the Committee's letter of 10 March 2022 confirming that he has instructed officials to review the Committee's Breaking the Grass Ceiling report and recommendations and how the Department can work with the industry to address the barriers experienced by local women
- xxii. Departmental correspondence containing a copy of the Single-Use Plastic Reduction Action Plan, Annual Report 2020-2021.
- xxiii. Departmental notification of an impending UK wide consultation that will be taken forward by administrations on the development of the UK Emissions Trading Scheme to include proposals for the extension of the scheme to the waste and maritime sectors, implementation of a net-zero cap and reporting mechanisms for capturing greenhouse emissions from agriculture and land use
- xxiv. Departmental correspondence providing the results of the UK-wide consultation carried out in 2021 in respect of the Extended Producer Responsibility for packaging and proposals to implement a Deposit Return Scheme for drinks containers.
- xxv. Departmental notification to advise that it has laid the necessary regulations with the Business Office to facilitate the Pork Farming Compensation Scheme.

16. Forward Work Programme

As it was the final meeting of the Mandate, the Committee did not consider a Forward Work Programme.

17. Any other Business

Agreed: It was agreed that the Committee Office would forward queries in respect of the Mobuoy Site to the Department.

Agreed: It was agreed that the Committee Office would write to the Ministers for the Economy and AERA in respect of the supply of ash wood for the hurling stick industry.

The Chairperson thanked the Members of the Committee for their support, engagement and hard work throughout the Mandate. The Chairperson extended his gratitude to the Clerk, the Committee Team and the staff of RaiSe, Engagement, Broadcasting and Communications.

The Chairperson recounted the difficulties the Committee had faced and expressed his pride in the work of the Committee to overcome these difficulties.

The Chairperson wished the Members well.

The meeting was adjourned at 2.35 p.m.

Declan McAleer MLA

**Chairperson, Committee for Agriculture, Environment and Rural Affairs
25 March 2022**