



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 16 December 2021

Meeting Location: Room 30/Virtual Meeting via StarLeaf

Present: Declan McAleer MLA (Chairperson)

Present by Video or Teleconference:

Clare Bailey MLA
Rosemary Barton MLA
John Blair MLA
Harry Harvey MLA
William Irwin MLA
Patsy McGlone MLA

Apologies: Philip McGuigan MLA (Deputy Chairperson)

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

In Attendance by Video or Teleconference:
Elaine Farrell, Clerical Supervisor
Barbara Love, Bill Office Clerk (for Agenda Item 19)

The meeting commenced at 10.06 a.m. in Open Session



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1. Apologies

Philip McGuigan MLA (Deputy Chairperson)

2. Chairperson's Business

Delegation of Freedom of Information Requests

Agreed: In anticipation of the Committee receiving any non-routine FoI requests during the Christmas recess period, Members agreed to delegate authority for dealing with them to the Chairperson and Deputy Chairperson.

Agreed: The Committee agreed that any urgent correspondence received over the recess period would be forwarded to Members by email and that the Clerk would message separately to advise.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 9 December 2021.

4. Matters Arising

The Committee noted the draft Budget for 2022-2025.

The Chairperson drew Members' attention to the fact that it was the first multiyear budget to be agreed, in principle, by the Executive for some time.

The Chairperson highlighted an increase of almost 2% in DAERA's baseline allocation for 2022-23 and 2023-24, with a further 1% increase in 2024-25.

Agreed: The Committee agreed to invite the Department to provide an oral briefing on its plans for the three-year period and in particular funding for the Green Growth Strategy.



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Agreed: The Committee also agreed to write to the Department of Finance to ascertain what mechanisms it will have in place to scrutinise the deployment of the budget to 2025, and for clarity on the role of the fiscal council.

5. Written Briefing: DAERA – Draft NI Food Strategy Framework – Post Consultation

Members noted a high-level summary of responses to the Department's consultation on a draft Food Strategy Framework for Northern Ireland.

The Chairperson highlighted that the proposed Framework will contain six strategic priorities and that the Department will lead a cross-departmental Food Programme Board. It is proposed that the Board will operate under the auspices of the Green Growth Strategy to take forward five-year action plans aimed at delivering the Strategy.

6. Written Briefing: DAERA – Greenhouse Gas Emissions Trading Scheme

The Committee noted a written briefing by the Department, which contained proposed amendments to the Greenhouse Gas Emissions Scheme Order. The Committee also noted a report on the UK ETS consultation on the proposed amendments.

The Chairperson informed Members that DEFRA intended to bring forward two statutory rules that will make technical amendments to the Emissions Trading Scheme and strengthen provision around enforcement of scheme rules.

Agreed: The Committee would write to the Department outlining it is content with the proposed Statutory Instruments and has no further comment

7. Written Briefing: Committee Clerk –Agricultural Wages Board

The Chairperson reminded Members that the Committee had sought the views of trade unions in relation to the proposed abolition of the Agricultural Wages Board. The Chairperson informed Members that a summary of the responses received from UNITE and the ICTU had been provided by the Clerk.

The Clerk briefed the Committee on the summary paper.



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Agreed: The Committee agreed to forward a copy of the Unions' correspondence to the Department for comment.

8. Written Briefing: DAERA – Rural Policy Framework for Northern Ireland

The Committee considered a written briefing from the Department on the outcome of its consultation on a proposed Rural Policy Framework for Northern Ireland.

The Chairperson informed Members that 105 responses to the consultation, which closed on 6 September 2021, had been received.

Members noted the Department's intention to establish a Rural Stakeholder Oversight Committee to act as an independent review and advisory body in respect of Rural Development policies. The Chairperson informed Members that DAERA also intended to develop learning from various pilot initiatives to agree its priorities.

Agreed: The Committee agreed to write to the Department for further information on:

- the process for making appointments to the Rural Stakeholder Oversight Committee;
- how the Committee's role will differ to that of Local Action Groups ;
- assurances that local rural organisations will have input to proposed schemes; and,
- how post Covid-19 recovery will be accommodated in the Framework.

9. Oral Briefing: DAERA – The Peatlands Strategy

The Committee noted a copy of the Department's NI Peatland Strategy 2021-40 consultation document and a summary of its responses.

The following officials joined the meeting via Starleaf at 10.21 a.m

Dave Foster – Director of Regulatory and Natural Resources, DAERA
Renny McKeown – Deputy Principal, Natural Heritage Branch, DAERA

The Chairperson invited the officials to brief the Committee.



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Clare Bailey MLA joined the meeting at 10.43 a.m.

This was followed by questions from Members.

The Chairperson thanked the officials for the briefing.

10. Oral Briefing: Sheep Scab Control and Eradication Group – Controlling Sheep Scab in the Northern Ireland Flock

The Committee noted a copy of the “Towards Eradication” Report by the Sheep Scab Control and Eradication Group which contained proposals for the control and eradication of infestation of the Northern Ireland flock.

The Chairperson welcomed Paul Crawford, Co-ordinator of SSCEG and invited him to brief the Committee on the group’s paper.

This was followed by questions from Members.

The Chairperson thanked the witness for his briefing.

11. SR 2021 No.338 The Single Use Carrier Bags Charge (Amendment) Regulations (NI) 2021

The Chairperson reminded Members that the Committee had considered the SL1 pertaining to The Single Use Carrier Bags Charge (Amendment) Regulations (NI) 2021 at its meeting on 2 December 2021, and was content with the policy proposals.

Agreed: The Committee agreed to forward the regulations to the Examiner of Statutory Rules for comment.

12. Written Briefing: DAERA – SR 2021 No. 335 The Edible Crabs (Undersized) (Amendment) Order (NI) 2021; AND, SR 2021 No.336 The Edible Crabs (Conservation) (Amendment) Regulations (NI) 2021



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Members noted the Statutory Rules pertaining to the minimum landing size of crabs and the prohibition of declawing, which had been considered at previous meetings of the Committee.

The Chairperson reminded Members that the Committee was content with the policy proposals.

Agreed: The Committee agreed to forward the regulations to the Examiner of Statutory Rules for comment.

13. Correspondence

The Committee noted the following items of correspondence:

- i. Departmental correspondence in relation to the Soil Nutrient Health Scheme;
- ii. Correspondence from CatsMatter.Org in relation to guidance on microchipping;

Agreed: The Committee agreed to forward the correspondence to the Department in order to seek an update

- iii. Correspondence between the Committee for Finance and the HOL Sub-Committee on the Protocol outlining the Sub-Committee's discontent with a response received from DEFRA in respect of queries raised regarding the interaction of the UK Emissions Trading Directive and the Protocol. The sub-Committee has requested a further, more detailed, response from DEFRA to be submitted by end of Jan 2022;
- iv. Correspondence from Phoenix Gas Network on its Energy Transition Project that outlines the potential for harnessing biogenic methane within the local gas network;
- v. Correspondence between the Committee for Justice and the Department for Agriculture, Environment and Rural Affairs seeking an update on the development of an Animal Cruelty Register;
- vi. Correspondence between the Speaker and the Committee Chairperson advising that the Official Report regarding the laying of the public petition on stopping the badger cull is available on the NI Assembly website;



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- vii. Tabled correspondence between DAERA and the Committee for Health in respect of its query regarding accessibility to services for people with sensory impairment;
- viii. Tabled Departmental correspondence advising that some of the crosscutting issues pertaining to the Common Frameworks have been resolved and that it expects a small number of Common Frameworks to be issued before Christmas for scrutiny. The remainder will be published in the New Year. Constitutional Ministers have agreed that the start of the NI election period should constitute the final deadline for scrutiny. The Department has provided information on those Common Frameworks necessitating legislation as a means of potential prioritisation

Agreed: the Committee would write to the Department to clarify points of issue in respect of the Department's letter and to seek an update when they have liaised with the CCC

Agreed: the Committee would write to the HOL Common Framework Scrutiny Committee to seek any particular views or information it considers necessary to draw the Committee's attention to

- ix. A tabled Departmental response to issues raised by the Committee at its meeting on 25 November including: Officials to brief on Trade Deals on 27 January 2022; Bi-monthly reports on the status of the Biogenic Stakeholder Group to be provided, along with the Terms of Reference and Membership; and, Officials potentially providing a briefing in respect of NIEA's oversight of Dalradian's activities on 27 January 2022.

Agreed: The Committee agreed to add the briefings to the Forward Work Programme.

- x. Tabled correspondence from the Department in relation to official's engagements in meetings of the TCA Specialised Committees. xi. Tabled Departmental response to queries raised by the Committee in respect of pork processors setting reduced prices to cull entire pig stocks and confirmation that it has no powers to intervene in commercial matters of this nature. xii. Tabled confirmation that the Department will provide further information on the Green Growth Strategy.

Agreed: It was agreed that the Clerk would seek clarity on the Department's commitment.



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- xiii. Tabled correspondence from the Department regarding the application process recently undertaken to appoint new members to the AFBI Board. The Department has confirmed that it is assured that due process was followed as per the Commissioner for Public Appointments Code of Practice and its responsibilities under the Agriculture (Northern Ireland) Order 2004 in relation to Board appointees.
- xiv. Tabled Departmental response regarding information pertaining to work carried out by the RaISe Public Finance Scrutiny Unit about the costs of Climate Change targets.
- xv. Tabled Departmental correspondence regarding negotiations between DEFRA and the Department for Infrastructure on the regulations relating to the DfI's remit under the Waste Legislative Regulations 2022, which have been removed.
The regulations relating to DAERA's role remain and are unaffected by this change;
- xvi. Tabled correspondence notifying the Committee of the Department's intention to open the FBIS-Capital Tier 2 Tranche 2 Scheme for a period of 12 weeks from 10 January 2022. Only those businesses which submitted an expression of interest will be eligible to apply;
- xvii. Tabled correspondence from the NI Chamber of Commerce and Industry in relation to its report carried out with member businesses about the impact of Brexit a year after the UK's withdrawal from the EU. One of the factors analysed was with regards businesses' understanding and alignment with the government's priorities for carbon consumption.

14. Forward Work Programme

Members noted that a new draft Forward Work Programme would be brought before the Committee in the New Year.

15. Oral Briefing: Just Transition Commission Scotland

The Chairperson reminded Members that, as part of its consideration of the Climate Change Bills, the Committee agreed to explore the role and function of the Just Transition Commission in Scotland.



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The Chairperson welcomed Professor Jim Skea to the meeting and thanked him for facilitating the Committee with a briefing.

The Chairperson invited Professor Skea to brief the Committee.

This was followed by questions from Members.

The Chairperson thanked Professor Skea for the briefing.

16. Any Other Business

Agreed: The Committee agreed to forward a copy of the recent KPMG Report to Assembly Research and Information Services for review of the methodology.

17. 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 6 January 2022 at 10.00 a.m. and will be a hybrid meeting streamed on the Assembly's website.

Agreed: The Committee agreed to move into Closed Session.

The meeting moved into Closed Session at 12.20 p.m.

18. Committee Discussion: Bovine TB Measures

The Committee noted a briefing paper by the Clerk in relation to the Department's proposals for bovine TB eradication.

The Committee discussed issues pertaining to the impact and eradication of bovine TB.

Agreed: It was agreed that a draft paper on the Committee's position would be brought before Members for further discussion in January 2022.



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19. Informal Deliberations: Climate Change (No.2) Bill

To assist the Committee's informal deliberations of the Bill, Members noted a copy of the Bill as drafted; a copy of the call for evidence report; and, a tabled list of amendments as proposed by the Department.

The following departmental officials joined the meeting via StarLeaf at 12.38 p.m.

Colin Breen, Director of Environmental Policy Division
Arlene McGowan, Grade 7, Environmental Policy Division
Anthony Courtney, Grade 7, Environmental Policy Division

The Officials briefed the Committee on the table of proposed amendments.

The Committee indicated its content with the proposed amendments and agreed to consider the outstanding amendments at its meeting of 6 January 2022.

The meeting was adjourned at 12.55 p.m.

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