



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 23 September 2021

Meeting Location: Room 30/Virtual Meeting via StarLeaf

Present: Philip McGuigan MLA (Deputy Chairperson)

Present by Video or Teleconference:

Declan McAleer MLA (Chairperson)
Clare Bailey MLA
Rosemary Barton MLA
John Blair MLA
Harry Harvey MLA
William Irwin MLA
Patsy McGlone MLA

Apologies: None

Present: Nick Henry, Clerk
Elaine Farrell, Assistant Clerk

In Attendance by Video or Teleconference:

Neal Flanagan, Assistant Clerk
Marion Johnson, Clerical Supervisor



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The meeting commenced at 10.09 a.m. in Open Session

1. Apologies

None.

2. Chairperson's Business

The Chairperson advised members that the Committee Clerk had received correspondence from the United States Department of Agriculture's Foreign Agricultural Service, requesting a meeting between its diplomats and the Chairperson and the Deputy Chairperson during a visit to Stormont on Tuesday 28 September. The purpose of the meeting is to discuss a number of themes including Climate Change, CAP Reform, EU Farm to Fork and Veterinary Trade.

Agreed: The Committee agreed that the Chairperson and Deputy Chairperson meet the diplomats on behalf of the Committee, with a note of the meeting to be provided to the Committee in due course.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 16 September 2021.

4. Matters Arising

The Chairperson drew Members' attention to a memo from the Clerk and Mark Allen of RaISe on follow-up issues and additional questions raised at the meeting on 9 September 2021. The Clerk briefed the Committee on the following issues: details of the Scottish Agricultural Modernisation Fund; the metric used across the UK and



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Ireland in relation to accounting for greenhouse gas emissions; the inability to shorten the lifespan of methane in the atmosphere; and how Scottish institutions have facilitated or supported a Just Transition process for SMEs in terms of climate change mitigation.

The Chairperson highlighted a memo from the Clerk providing a summary of the evidence gathered to date on the Horse Racing (Amendment) Bill. The Clerk outlined the detail that had emerged from the Committee's call for evidence.

The Chairperson drew Members' attention to a paper from DAERA on the October Monitoring Round, outlining bids that the Department intends to make. The Chairperson also informed Members that the Committee was scheduled to receive an oral briefing on the October Monitoring Round from officials at its next meeting.

5. Written Briefing, DAERA: NI Food Strategy Framework

The Committee considered a DAERA pre-consultation briefing paper, which had been developed on a cross-departmental basis and agreed in principle by the Executive. The Chairperson outlined that the purpose of the consultation was to seek stakeholder endorsement of the proposed vision, principles and goals of a Northern Ireland Food Strategy Framework. It was outlined that the final Food Strategy Framework will be published by March 2022 and the Committee will be sent a copy of the consultation document before publication.

Agreed: The Committee agreed that the Chairperson write to the Department to request an analysis of the consultation responses in due course.

6. Oral Evidence Session: Climate Change (No.1) Bill – Environmental Justice Network Ireland (EJNI)

The following representatives from EJNI joined the meeting via StarLeaf at 10.24 a.m.



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Dr Thomas L. Muinzer, Senior Lecturer at Aberdeen University and Co-Director of the Aberdeen University Centre for Energy Law

Dr Ciara Brennan, Lecturer at Newcastle University and Director of the Environmental Justice Network Ireland

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

The oral evidence session was reported by Hansard.

Mr Blair left the meeting at 10.27 a.m.

Mr Blair re-joined the meeting at 10.47 a.m.

Mr McAleer left the meeting at 11.28 a.m. The Deputy Chairperson assumed the Chair.

The Deputy Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to publish the briefing paper from EJNI on the Committee website.

7. Oral Evidence Session: Horse Racing (Amendment) Bill – Down Royal Racecourse

The following representatives from Down Royal Racecourse joined the meeting via StarLeaf at 11.32 a.m.

Emma Meehan, Chief Executive Officer
Robert Conan, Director

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



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The oral evidence session was reported by Hansard.

The Deputy Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to publish the briefing paper from Down Royal Racecourse on the Committee website.

8. Oral Evidence Session: Horse Racing (Amendment) Bill – Downpatrick Racecourse

The following representatives from Downpatrick Racecourse joined the meeting via StarLeaf at 11.41 a.m.

Peter Stewart, Chairman
Richard Lyttle, Manager
Russell MacNabb
Chris McEvoy

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

The oral evidence session was reported by Hansard.

The Deputy Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to publish the briefing paper from Downpatrick Racecourse on the Committee website.

Agreed: The Committee agreed to seek additional information pertaining to the judicial review case involving Downpatrick racecourse in respect of outstanding Fund payments

9. Correspondence



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The Deputy Chairperson drew Members' attention to the following items of correspondence:

- Correspondence from the Department advising that it intends to undertake an eight-week consultation commencing on 4 October 2021 in respect of introduction of a mandatory system for reporting sheep carcass classification and pricing system.

Agreed: The Committee agreed that the Clerk seek confirmation in writing from the Department on whether it intends to consult on the use of enforcement powers under a mandatory arrangement.

- A memo from the Assembly EU Affairs Officer providing an update on the implementation of Common Frameworks and advising that all of the frameworks under AERA's remit have been given provisional approval and are expected to be referred to the Assembly in late September or early October. The DEFRA Secretary of State has been quoted as saying that that a realistic timeframe for completion of the scrutiny process is March 2022.
- Correspondence from the Committee for Finance on its call for evidence on the Defamation Bill, which has reached Committee Stage. Members were requested to provide any comments to the Clerk by 30 September, from which a return will be made on behalf of the Committee.
- Correspondence from the NI Turf Guardians Association requesting the opportunity to give oral evidence to the Committee on the Horse Racing (Amendment) Bill. It was noted that the Committee had initially agreed not to invite the association to give an oral briefing and has received an extensive written submission through its call for evidence that will be provided for Members as part of their deliberations and the Bill report.

Agreed: The Committee agreed that the Clerk write to the NI Turf Guardians Association advising that, unfortunately, due to scheduling demands, it will not be possible to facilitate an oral briefing, but giving assurance that the association's written evidence will be taken into account.



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Mr McAleer re-joined the meeting at 11.52 a.m. and resumed the Chair.

The Committee noted the following additional items of correspondence and agreed that they be actioned as suggested by the Clerk:

- i. Additional information from DAERA pertaining to its support of the sea fishing industry following the Committee meeting on 8 July 2021;
- ii. An acknowledgement from Mid and East Antrim Borough Council of the Committee's letter pertaining to its ports report investigation;
- iii. Reports from the Examiner of Statutory Rules on the following SRs which had been approved by the Committee, subject to ESR consideration: S.R. 2021/186: The Agricultural Commodities (Coronavirus) (Income Support) Scheme No. 2 (Northern Ireland) 2021; and S.R. 2021/187: The Agricultural (2017 North West Area Flooding) (Income Support) Scheme (Northern Ireland) 2021;
- iv. A copy from the Department of the Delegated Powers Memorandum pertaining to the Climate Change (No.2) Bill;
- v. Departmental correspondence advising that a date of 25 April 2022 has been set for the Mobuoy criminal trial.

10. Forward Work Programme

Agreed: The Committee agreed the Forward Work Programme.

11. Any Other Business

The Chairperson reminded Members that the Committee had discussed potential events to coincide with COP26 and that a suggestion was put forward to engage with schools and/or youth groups on an event. The Chairperson advised the Committee that he had been informed that Cullybackey College, one of the schools that carried out a focus group in the call for evidence, was keen to participate in a question-and-answer session with Committee members on the importance of COP26 and climate change generally.



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Agreed: The Committee agreed that the Clerk draw up arrangements for such an event, to include potential participation from other school groups.

The Committee considered the possibility of an additional meeting with regard to informal deliberations on the Climate Change No.1 Bill.

Agreed: The Committee agreed, if necessary, to meet virtually over StarLeaf after the scheduled end time of its meeting on Thursday 30 September.

The Chairperson reminded Members that the Carbon Battle Bus will be stopping at Parliament Buildings on Thursday 30 September and that the Committee had been invited to view it and take part in a photo opportunity.

Agreed: The Committee agreed that Members confirm with the Clerk by close of business whether they will be available.

The Chairperson suggested that the Committee write to RUAS to commend them on the success of the Balmoral Show and to thank them for their hospitality during the Committee's visit.

Agreed: The Committee agreed to write to RUAS per the Chairperson's suggestion.

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 30 September 2021 at 9.30 a.m. and will be hybrid meeting streamed on the Assembly's website.

Mr Irwin left the meeting at 12.14 p.m.

Agreed: The Committee agreed to move into Closed Session.

The meeting moved into Closed Session at 12.15 p.m.



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13. Climate Change (No.1) Bill Informal Deliberations

The Chairperson informed Members that the Committee would now commence informal deliberations on the Climate Change (No.1) Bill on a subject matter basis. The Chairperson highlighted papers to support Members' considerations, including a copy of the Bill, the stakeholder analysis report and a table of suggested amendments.

The Chairperson welcomed Barbara Love of the Assembly Bill Office, who had agreed to monitor discussions and then make herself available to the Committee for a closed session at the end of the meeting should Members wish to discuss options for amendments.

First Set of Clauses: Declaration of a Climate Emergency

Members considered the provisions of Clause 1, which declares a Climate Emergency from the date at which the Act is passed. Members noted the balance of the responses to the Clause from the Committee's call for evidence, as well as suggested issues and amendments.

Second Set of Clauses: Climate Action Plans

Members considered the provisions of Clause 2(1), Clause 2(3), Clause 2(4) and Clause 2(5). These set out that the Executive Office must lay before the Assembly Climate Action Plans to achieve the climate objective and its responsibilities in undertaking appropriate consultation. Members noted the balance of the responses on the subject from the Committee's call for evidence, as well as suggested issues and amendments.

Members considered the provisions of Clause 3, which sets out the contents of the Climate Action Plans, including targets that are to be achieved in respect of greenhouse gas emissions, water quality, soil quality and biodiversity, as well as measures to meet these targets and sectoral plans for different industries. Members noted the balance of the responses on the Clause from the Committee's call for evidence, as well as suggested issues and amendments.



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Members considered the provisions of Clause 4, which sets out the process for reporting on Climate Action Plans. Members noted the balance of the responses on the Clause from the Committee's call for evidence, as well as suggested issues and amendments.

Members considered the provisions of Clause 11, which provides for the alteration of Climate Action Plans and outlines the responsibility of The Executive Office to lay a response to an annual progress report with the Assembly within two months.

Agreed: The Committee agreed to move into Closed Session.

The meeting moved into Closed Session at 12.25 p.m.

14. Closed Session: Climate Change (No.1) Bill Informal Deliberations

Members discussed options pertaining to proposed amendments to the provisions of the Bill that had been discussed in open session and the process for progressing these, with guidance from Barbara Love of the Bill Office.

Agreed: The Committee agreed in principle to amend Clause 1(3) and Clause 1(4) to remove reference to the Executive Office and replace with reference to the First Minister and deputy First Minister.

Agreed: The Committee agreed in principle to amend Clause 2(1) to require the first Climate Action Plan to be laid within 24 months rather than three years.

Agreed: The Committee agreed in principle to amend Clause 2(4) to include a requirement for a small and micro business impact test (SAMBIT).

Agreed: The Committee agreed in principle to amend Clause 3(8) to take account of Just Transition Principles when developing sectoral plans, in line with Scottish legislation.



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Agreed: The Committee agreed in principle to amend Clause 3(10) to widen the scope of organisations that must take account of transboundary considerations, including all Government Departments and relevant public bodies.

Agreed: The Committee agreed in principle to add an additional clause regarding a Just Transition Fund for the agriculture sector.

The meeting was adjourned at 1.25 p.m.

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