



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 7 October 2021

Meeting Location: Room 30/Virtual Meeting via StarLeaf

Present: Declan McAleer MLA (Chairperson)

Present by Video or Teleconference:

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

Apologies: Clare Bailey MLA

Present: Nick Henry, Clerk
Oliver Bellew, Assistant Clerk
Elaine Farrell, Clerical Supervisor

In Attendance by Video or Teleconference:

Marion Johnson, Clerical Officer

The meeting commenced at 9.59 a.m. in Open Session



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1. Apologies

Clare Bailey MLA

2. Chairperson's Business

The Chairperson drew Members' attention to a memorandum drafted by the Clerk, which outlined details of a meeting he and the Deputy Chairperson had attended with Delegates of the American Embassy to the UK and Ireland. Members noted that the meeting, which took place on 28 September 2021, was held to discuss matters relating to Climate Change.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 30 September 2021.

4. Matters Arising

Climate Change (No.2) Bill

Members noted a memorandum by the Clerk in relation to a draft motion to extend the Committee Stage of the Climate Change (No.2) Bill.

Agreed: The Committee agreed the motion: *That, in accordance with Standing Order 33 (4), the period referred to in Standing Order 33(2) in relation to the Committee Stage of NIA Bill 28/17-22 is extended to 4 February 2022.*

The Committee was subsequently informed that all Committee Stages of Bills in the current mandate must be completed before February 2022 and that an amended



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motion detailing 28 January as the extended deadline date should be submitted to the Business Office.

COP 26

Members noted a memorandum by the Clerk in relation to activities which the Committee had agreed to progress in order to mark the 2021 COP26 Conference. The Clerk informed the Committee of conversations he had held with counterparts in other legislatures regarding their planned activities to coincide with the Conference.

Agreed: The Committee agreed to proceed with the arrangements as proposed by the Clerk.

Agreed: The Committee agreed to issue a Press Release to communicate its planned activities in relation to COP26, and including Members' attendance at the Carbon Battle Bus on 30 September 2021

5. Written Briefing, DAERA: SL1 – The Edible Crabs (Undersized) (Amendment) Order (Northern Ireland) 2021 and SL1 - The Edible Crabs (Conservation) (Amendment) Regulations (Northern Ireland) 2021

The Committee considered written briefings from DAERA on its intention to introduce secondary legislation to enhance the protection and conservation of crabs. Members noted the results of a survey, conducted by DAERA, which indicated general support from stakeholders for the proposed changes.

Agreed: The Committee agreed to the proposed legislation in principle, and to write to the Fishermen's Federation; the North Coast Shellfish Fishermen's Association; and, the North Eastern Lobster Co-operative to seek their views on the proposals.

Agreed: The Committee agreed to write to the Department to seek clarification on how fishermen operating in both ROI and NI waters would be affected, with differing Minimum Landing Size in each jurisdiction



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6. Written Briefing, DAERA: Consultation on the Single Use Carrier Bags Charge Regulations (Northern Ireland)

The Committee considered a briefing from DAERA in relation to its public consultation on proposals to increase the levy imposed on Single Use Carrier Bags. Members noted the Department's proposal to increase the levy to 25 pence per single use plastic bag, with the revenue generated being used to support environmental projects.

Agreed: The Committee agreed to write to the Department to indicate its support of the proposals and to seek an explanation for the rationale in increasing the original levy fivefold.

7. Oral Briefing, DAERA: Finn's Law – Animal Welfare (Service Animals) Bill

The following officials from DAERA joined the meeting via StarLeaf at 10.14 a.m.

Neal Gartland, Director of Animal Health and Welfare Policy
Christopher Andrews, Animal Identification and Welfare Branch

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

The Chairperson thanked the representatives for their attendance.

Patsy McGlone joined the meeting at 10.33 a.m.

The Committee noted correspondence from the Minister, which signalled his intention to bring forward, subject to Executive approval, a request to the Assembly for the use of accelerated passage to introduce the Animal Welfare (Service Animals) Bill.

Agreed: The Committee agreed to respond to the Minister to indicate its support in principle for the request for accelerated passage and to invite the Minister to a Committee meeting in the coming weeks to provide an update on the progression of the Bill and other policy matters



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8. Deliberations and Clause by Clause Scrutiny: Horse Racing (Amendment) Bill

The following officials from DAERA joined the meeting via StarLeaf at 10.39 a.m.

John Terrington, Head of the Horse Racing (Amendment) Bill Team
Samantha Stewart, Deputy Principal, Deputy Head of the Horse Racing (Amendment) Bill Team

The Committee undertook deliberations on the Clauses of the Horse Racing (Amendment) Bill and thereafter undertook its clause-by-clause decision-making.

Clause-by-Clause

Agreed: The Committee agreed Clause 1 of the Horse Racing (Amendment) Bill, as drafted.

Agreed: The Committee agreed Clause 2 of the Horse Racing (Amendment) Bill, as drafted.

Agreed: The Committee agreed Clause 3 of the Horse Racing (Amendment) Bill, as drafted.

Agreed: The Committee agreed Clause 4 of the Horse Racing (Amendment) Bill, as drafted. The Committee agreed that the proposed Departmental amendment be inserted after Clause 4, as drafted.

Agreed: The Committee agreed Clause 5 of the Horse Racing (Amendment) Bill, as drafted.

Agreed: The Committee agreed Clause 6 of the Horse Racing (Amendment) Bill, as drafted.

Agreed: The Committee agreed the Horse Racing (Amendment) Bill, as drafted.



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Agreed: The Committee agreed to write to the Department to ascertain the feasibility of facilitating outstanding payments from the Fund to operators who would likely have received payments in 2019/2020, had it not been for the legislative prohibitions of the 1990 Order.

The Chairperson thanked the Committee for its consideration of the Bill and informed Members that the Clerk would produce a draft report for consideration.

9. Correspondence

The Committee noted the following items of correspondence and agreed that they be actioned as suggested in the index of correspondence:

- i. DAERA correspondence advising that it had launched an eight week consultation on the NI Food Strategy Framework commencing on 24 September 2021;
- ii. A copy of the Drinking Water Quality Report from the Drinking Water Inspectorate;
- iii. Correspondence from Pivotal in relation to transforming the 14-19 education and skills system in Northern Ireland;
- iv. DAERA correspondence providing advanced sight of its response to the 2021 Committee on Climate Change Annual Progress Report;
- v. DAERA correspondence containing a link to the DEFRA Report into Air Pollution in the UK in 2020;
- vi. Correspondence from the Nature Friendly Farming Network inviting the Committee to the Nature Means Business virtual event on 19 October 2021;
- vii. Ministerial correspondence indicating Minister Poots intention to bring forward regulations to include a number of entities within the Rural Needs Act 2016;
- viii. DAERA correspondence regarding its intention to undertake a consultation on the reduction of single use plastic beverage cups and containers;
- ix. Correspondence from the Committee on Procedures on its inquiry into Legislative Consent Motions;
- x. Correspondence from UFU in relation to its liaison with Minister regarding farm safety and avoiding issues which led to widespread wildfires in the Mourne Mountains earlier this year;
- xi. Correspondence from RSPB regarding supplementary consent relating to the Environment Bill;



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- xii. DAERA correspondence to advise that applications for the Rural Micro Capital Grant Scheme are now open.

10. Forward Work Programme

Agreed: The Committee agreed the Forward Work Programme.

11. Any Other Business

None.

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 14 October 2021 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 10.55 p.m.

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

The Chairperson informed Members that the Committee would resume informal deliberations on the Climate Change (No.1) Bill and, in particular, clauses relating to the climate objective and the net-zero target.

Clause 2 (2)



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Members considered the provisions of Clause 2 (2) and agreed to seek a potential amendment to insert wording in the Bill that the risk of unintended carbon leakage should be mitigated.

Members also agreed to seek a potential amendment to include a duty on public bodies in respect of Climate Change mitigation and adaptation reporting.

Action: the Committee agreed to write to the Department for International Trade to seek assurances on the steps being taken by the Department to mitigate against climate damage in respect of trade deals it is negotiating following Brexit

Clause 2 (6-9)

Members considered the provisions of Clause 2 (6-9), which set out specific definitions in respect of the climate objective, enable the Department to add a greenhouse gas to the specific list and allow the Executive Office to amend the target year forward.

Members agreed in principle to seek an amendment in respect of changing the baseline year for “F-gases” to 1995, comparable legislation in other jurisdictions.

Members discussed the role of farms in contributing to a net-zero target through carbon sequestration.

Action: the Committee agreed to write to the Department to seek an update of on-going work in respect of emission accounting at farm level

The meeting was adjourned at 11.32 a.m.

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