



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 3 February 2022

Meeting Location: Room 30/Virtual Meeting via StarLeaf

Present by Video or Teleconference:

Declan McAleer MLA (Chairperson)
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 9.46 a.m. in Open Session.

1. Apologies

None

2. Chairperson's Business

Withdrawal of DAERA Staff from Ports

The Committee discussed with concern the DAERA Minister's decision to instruct Departmental staff to cease operations at Ports of Entry to Northern Ireland. The Committee discussed the need for clarity from the Permanent Secretary and other senior officials on the legal ramifications of the Minister's decision.

Harry Harvey MLA joined the meeting at 9.48 a.m.

William Irwin MLA joined the meeting at 9.50 a.m.

The Clerk informed the Committee that the Permanent Secretary had been requested to attend the meeting but was unable to attend as he was actively considering the implications.

Agreed: The Committee agreed to seek an urgent briefing from the Permanent Secretary and other Senior Officials at the earliest available opportunity in respect of the Minister's instruction and its implications.

Members noted that an extraordinary meeting of the Committee would be scheduled once the Permanent Secretary's availability had been confirmed.

Future Agricultural Policy

The Committee noted correspondence from the Minister to indicate that he would be unable to extend the consultation period on Future Agricultural Policy



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Proposals as the deadline set was in accordance with Fresh Start Agreement directions.

Agreed: The Committee agreed to write to the Minister to outline its disappointment at the decision not to extend the deadline and its negative impact on stakeholders' ability to provide timely feedback.

Wildlife Order (NI) 1985

The Committee noted a request from the Department to defer its briefing on the Wildlife Order (NI) 1985 General Bird Licenses preconsultation to the meeting scheduled for 24 February 2022.

Climate Change Bills

The Committee noted legal advice pertaining to the Climate Change Bills which had been forwarded to Members prior to the 1 February 2022 plenary debate on the Climate Change (No.2) Bill.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 27 January 2022

4. Matters Arising

EC Directorate General for Health and Safety

The Committee noted a draft report by the EC Directorate General for Health and Safety in relation to the assessment of Sanitary and Phytosanitary checks and border post compliance with EU regulations relating to the Protocol.



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The Committee noted the Report's criticism of the Department, HRMC and Border Force for their roles in the border control situation.

Agreed: The Committee also agreed to seek clarity from the Department on:

- when the Report was originally received and by whom;
- what actions the Department has taken in respect of the shortcomings which have been highlighted in the Report; and,
- what plans the Department has to improve compliance in the next three months.

5. Oral Briefing – NI Pork and Bacon Forum: Workforce Labour Issues

The Chairperson reminded Members of the Committee's consideration of labour shortages in the meat processing sector and its impact on animal welfare and economic consequence to farmers.

Clare Bailey MLA joined the meeting at 9.55 a.m.

The Committee recalled its correspondence with the Home Office in respect of granting temporary visas to skilled, foreign workers as a means of alleviating labour pressures.

The Chairperson welcomed Deirdre McIvor, Chief Executive, NI Pork and Bacon Forum and invited her to brief the Committee.

This was followed by questions from Members.

The representative undertook to furnish the Committee with information on how many workers the industry had lost as a result of new immigration laws.

Agreed: The Committee agreed to write to the Department and the Department of Finance to scope the possibility of financial compensation the Pork Processing Industry.

Tom Buchanan joined the meeting at 10.34 a.m.

The Chairperson thanked Ms McIvor for the briefing.



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6. Oral Briefing: Renewable NI – Powering a Green Economy

The Committee noted the “Powering a Green Economy” Report, which had been published by Renewable NI in November 2021.

The Chairperson reminded Members that the briefing had originally been scheduled for the meeting on 27 January 2022 and apologised to the representatives for its rescheduling.

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

Steven Agnew – Head of Renewable NI
Rachel Anderson – Renewable NI
Russell Smyth – KPMG Ireland

This was followed by questions from Members.

The Chairperson thanked the representatives for the briefing.

7. Oral Briefing: Ulster Arable Society and Ulster Farmers’ Union – Arable Farming Strategy

The Committee noted a joint report and summary of recommendations by the Ulster Arable Society and the Ulster Farmers’ Union on “Developing a Sustainable Arable Production in Northern Ireland”.

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

Roy Lyttle – Owner of Vegetable Packaging Business and CAFRE Advisory Group Member



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David McErlea – Cereals and Potato Farmer and Deputy Chair of UFU Potato Committee

Robert Moore – Arable Farmer and Chair of Progressive Arable Producers Ltd

Bruce Steele - Director of DBS Farm Supplies and Chair of the Ulster Arable Society

Ian Duff – Facilitator of the Strategy

This was followed by questions from Members.

John Blair MLA left the meeting at 12.14 p.m.

William Irwin MLA left the meeting at 12.18 p.m.

The Chairperson thanked the Officials for the briefing.

8. Written Briefing: ESR – The Environment (2021 Act) (Commencement and Saving Provision) Order (NI) 2022

The Chairperson informed the Committee that the Examiner of Statutory Rules had considered the proposals and had no comment to make.

Agreed: The Committee considered the Environment (2021 Act) (Commencement and Saving Provision) Order (NI) 2022 and recommended that it be affirmed by the Assembly.

9. Clerks Written Briefing: Draft Committee Position Paper on Radioactive Substances Framework

The Chairperson reminded Members that the framework proposals had been published in December 2021.



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Members noted a draft position paper which had been produced by the Clerk following the Committee's deliberations.

The Chairperson invited the Clerk to brief the Committee on the matter.

Agreed: The Committee noted the draft position paper and agreed that it be published.

Agreed: The Committee agreed to write to the Department for assurance that measures will be put in place to mitigate against the dumping of radioactive waste locally.

10. Correspondence

The Committee noted the following items of correspondence:

- i. Correspondence between the House of Lords Sub-Committee on the Protocol and DEFRA highlighting concerns about the environmental risks associated with transit of waste across the Irish Sea and requesting further analysis of the costs associated with this;
- ii. Correspondence between DEFRA and the House of Lords Scrutiny Committee on the Protocol with further details on the regulations pertaining to the transit of waste from GB to NI. DEFRA also indicates that it anticipates that the Chemicals and Pesticides Common Framework will be published in January 2022;
- iii. DTS Report outlining that all of the projects managed by DAERA achieved a "Green" assurance rating";
- iv. Tabled Departmental correspondence regarding on-going queries about the stated "at least £900m per annum" cost of achieving net-zero in NI by 2050 as outlined in its draft RIA. The correspondence includes further information from the UKCCC to the Department;
- v. Tabled Departmental correspondence to advise that there is "continuing engagement with the Minister" and that the proposals to revise the protocol will form part of the forthcoming consultation on the Department's Ammonia Strategy which will issue "soon";



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- vi. Tabled Departmental correspondence containing additional information on the rationale for considering an LCM to facilitate introduction of a pet abduction offence locally;
- vii. Tabled Departmental confirmation of its intention to take on board comments from the Office for Environmental Protection following their assessment of the draft Strategy and reflect these in the Strategy. With the approval of the OEP, the Department will share the OEP's assessment with the Committee;
- viii. Tabled Departmental correspondence in respect of queries raised by the Committee following its meeting on 13 January 2022 including a timeline regarding the development of the Tier 2 Farm Business Improvement Scheme and confirmation that the Committee's views on the draft Environment Strategy will be taken on board when finalising the Strategy;
- ix. Tabled correspondence from the Executive's Office in Brussels regarding its latest report covering activities between October and December 2021;
- x. Departmental correspondence to advise of the DoJ regulations as outlined above;
- xi. Tabled reply from the Minister to the Committee's request that the consultation deadline on the Future Agriculture Policy Proposals be extended and has outlined that this cannot be facilitated.

11. Forward Work Programme

Agreed: The Committee agreed the draft Forward Work Programme.



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12. Any Other Business

None.

13. 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 10 February 2022 at 10.00 a.m. and will be a hybrid meeting streamed on the Assembly's website.

The Chairperson reminded Members of the stakeholder event which was scheduled for 6.30 p.m.

The Chairperson also reminded Members that an extraordinary meeting of the Committee might be called at short notice to accommodate a briefing by the Permanent Secretary. The Chairperson requested that, where possible, Members make themselves available for the meeting.

Agreed: The Committee agreed to move to closed session.

The meeting moved to closed session at 12.55 p.m.

14. Clerk's Written Briefing – Draft Committee Position Paper on Proposals for the Eradication of bovine TB

The Chairperson reminded Members that the Committee had discussed the Department's proposals for bovine TB eradication at its meeting on 20 January 2022.



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Members noted a draft position paper which had been produced by the Clerk following the Committee's deliberations.

The Chairperson invited the Clerk to brief the Committee on the matter.

Agreed: The Committee noted the draft position paper and agreed that it be forwarded to the Department for consideration, subject to the following amendments:

- Paragraph 42 is amended to acknowledge the pain and suffering experienced by badgers infected by TB; , and
- Reference is made within the report to the fact that domestic pets can acquire bovine TB from wildlife

Clare Bailey MLA informed the Committee that the Green Party is opposed to any proposed culling measures.

15. Clerk's Written Briefing – Women in Agriculture Draft Report

The Chairperson reminded Members of the stakeholder event which had been scheduled for 6.30 p.m. on Zoom.

The Chairperson invited the Clerk to brief the Committee on the logistics for the event.

The Committee noted a draft report by the Clerk.

The Clerk informed Members that the draft report would be updated on a rolling basis following further engagement with stakeholders.

16. Committee Discussion – Future Agricultural Policy Proposals

The Committee noted a draft position paper by the Clerk in relation to the Department's Future Agricultural Policy Proposals.



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The Chairperson invited the Clerk to brief the Committee on the matter.

Agreed: The Committee agreed to defer further consideration of the matter until the meeting on 10 February 2022.

The meeting was adjourned at 1.30 p.m.

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