



Northern Ireland  
Assembly

# Agriculture, Environment and Rural Affairs Committee

## **Draft Minutes of Proceedings**

**Thursday 15 February 2024**

**Room 21, Parliament Buildings**

**Present:**

Tom Elliott MLA (Chairperson)

Declan McAleer MLA (Deputy Chairperson)

John Blair MLA

Nicola Brogan MLA

Tom Buchanan MLA

William Irwin MLA

Patsy McGlone MLA

Michelle McIlveen MLA

Áine Murphy MLA

**Present by Video or Teleconference:**

None

**Apologies:**

None

**In Attendance:** Dr Janice Thompson, Assembly Clerk  
Ms Gillian Barker, Assistant Assembly Clerk  
Mr Michael Greer, Clerical Supervisor  
Ms Andrienne Magee, Clerical Officer

***The meeting opened in Private Session at 10.31 am***

The Chair welcomed Members to the first meeting of the Agriculture, Environment and Rural Affairs Committee and outlined a few overarching matters regarding the workings and role of the Committee.

The Chair outlined the matter of privilege:

*Under section 50 of the Northern Ireland Act 1998, for the purposes of the law of defamation only, absolute privilege applies equally to – the making of a statement in proceedings of the Assembly; and the publication of a statement under the Assembly’s authority. This privilege also extends to meetings of the Committee. Members should note however that privilege does not extend to press conferences or statements made to the press.*

**Agreed:** The Committee noted the matter of privilege.

The Chair outlined the matter of sub judice:

*‘Committee Members should be aware of the potential problems associated with discussing a matter that is sub judice – that is a matter which is being, or is about to be, considered by a court. Standing Order 73 provides that any matters in respect of which legal proceedings are “active” should not be referred to in committee proceedings (except to the extent permitted by the Committee Chairperson)’.*

**Agreed:** The Committee noted the matter of sub judice.

***The meeting went into public session at 10.40 am***

**1. Apologies**

None

**2. Arrangements for Committee Meetings**

The Committee agreed the arrangements for the Committee to meet on a Thursday at 10.00 am in Room 21.

The Chair stated he has an informal meeting with Minister Muir next Tuesday 20 February 2024, the Deputy Chair will also attend.

**3. Introductions and Staff Contact Details**

The Committee briefly introduced themselves and noted the staff contact details. The Committee endorsed fulfilling their roles in the spirit of supporting and scrutinising the work of the Department and doing all it could to enhance the provision of public services for everyone in Northern Ireland.

**4. Declaration of Interests**

Members noted as it was the first meeting of the Committee, Members should ensure that any financial or other interests which relate to the remit of the Committee, or which are likely to be relevant to a substantial part of its work, are drawn to the attention of the Committee.

Members noted that failure to register and/or declare an interest may be an offence under Section 43 of the Northern Ireland Act 1998. The rules governing the registration and declaration of interests are contained in “The Code of Conduct and Guide to the Rules Relating to the Conduct of

Members” and that further advice and guidance is available from the Clerk of Standards, Room 254, Parliament Buildings.

The following members made Declaration of Interests:

Mr Tom Elliott, MLA is an active farmer and in receipt of Basic Payment Scheme BPS;

Mr Tom Buchanan, MLA owns a farm and in receipt of Basic Payment Scheme BPS;

Mr Declan McAleer MLA owns agriculture land; and

Mr William Irwin, MLA is a partner in a farm business and in receipt of Basic Payment Scheme BPS;

***The meeting was suspended at 10.47 am***

***Mr John Blair MLA left the meeting at 10.50 am***

***The meeting opened in private session at 10.59 am***

***Ms Angela Kelly, Examiner of Statutory Rules [ESR] joined the private session of the meeting at 10.59 am.***

## **5. Subordinate Legislation: Briefing by the Examiner of Statutory Rules (ESR).**

The Chair welcomed Ms Kelly, ESR to the meeting and referred Members to relevant papers ‘Guidance on Handling Subordinate Legislation’ and her presentation paper.

Ms Kelly, ESR, briefed the Committee on its responsibilities in respect of subordinate legislation in terms of policy and technical scrutiny and her potential role in the process.

**Agreed:** The Committee noted the relevant papers and were content to delegate the technical scrutiny of Statutory Rules to the Examiner of Statutory Rules.

**Agreed:** After a brief discussion and question and answer session with Ms Kelly, ESR, it was agreed she will write to the Committee with further information regarding the 21-day rule.

***Ms Angela Kelly, Examiner of Statutory Rules, left the meeting at 11.19 am***

***Ms Nicola Brogan MLA left the meeting at 11.20 am***

***The meeting went into Public Session at 11.20 am***

## **6. Delegation of Technical Scrutiny to the Examiner of Statutory Rules**

Ms Angela Kelly, Examiner of Statutory Rules remained in the meeting.

The Chair put to the Committee the question ‘does the Committee agree, under Standing Order 43, to delegate to the Examiner of Statutory Rules the technical scrutiny of statutory rules referred to the Committee under the above mentioned Standing Order?’

*‘The Committee further resolves that in carrying out this function the Examiner shall be authorised to report her technical finding on each statutory rule to the Assembly, and to the relevant Department, as well as the Committee itself and to publish her report.’*

**Agreed:** The Committee agreed both of these statements, to delegate the technical scrutiny of statutory rules to the Examiner of Statutory Rules.

***Mr John Blair MLA re-joined the meeting at 11.22 am***

***Ms Nicola Brogan MLA re-joined the meeting at 11.23 am***

***The meeting remained in Public Session at 11.24***

## **7. Correspondence received during Dissolution**

The Committee heard that a substantial amount of correspondence had been received during dissolution. The correspondence generally falls under a number of categories:

- a) Press Releases from the Executive News Service
- b) Press Releases from the Department
- c) Papers and Reports Laid in the Assembly Business Office
- d) Cc'd Correspondence from Westminster from the DEFRA EU Scrutiny Team and House of Lords Windsor Framework Sub-Committee;
- e) From Organisations; and
- f) From the Privy Council Office.

**Agreed:** The Committee were content to view this correspondence in the Committee Office Room 244 as required.

## **8. Draft Forward Work Programme**

The Committee reviewed the draft Forward Work Programme to 21 March 2024, and it was proposed to address this in more detail at next week's committee meeting. The Committee will also address within the forward work programme a strategic planning day and future visits.

**Agreed:** The Committee agreed to note the draft forward work programme at this stage.

## **9. Date, Time and Place of Next Meeting**

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 22 February 2024, 10.00 am in Room 21.

The Committee noted that it is planned that a photograph will be taken at next week's meeting for the Committee website.

## **10. Adjournment.**

**The Meeting adjourned at 11.28 am.**