Northern Ireland Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

16 October 2025

Present: Robbie Butler MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
Tom Buchanan MLA
William Irwin MLA
Daniel McCrossan MLA
Michelle McIlveen MLA

On Zoom: Aoife Finnegan MLA
Áine Murphy MLA

Apologies: None

In Attendance: James Gilsenan Acting Assembly Clerk
Glenda Doherty, Senior Assistant Assembly Clerk
Nick Faulkner, Assistant Assembly Clerk
Michael Greer, Clerical Supervisor
Sarah Dowd, Clerical Officer

The meeting opened in Public Session at 10:07am

1. Apologies

None

2. Declaration of Interests

The Chair reminded Members of their responsibility to declare any interests in any of the items under discussion.

Declan McAleer MLA declared that he is an executor and owner of a small farm in Co Tyrone.

William Irwin MLA declared an interest as a partner in a farm business.

Daniel McCrossan MLA declared an interest as a company director.

3. Chairperson's Business

The Chair referred to confirmation of the first Asian hornet detected in Northern Ireland in Dundonald on 10 October, indicating the likely presence of a nest in the area.

Agreed: The Committee agreed to request a written briefing in the first instance on any potential impact and planned mitigation strategy.

The Chair referred to the Dilapidation Bill and the online meeting with members of the Youth Assembly (YA) on 14 October and recorded thanks, on behalf of the Committee, to the members for providing valuable evidence to support the Committee's scrutiny of the Dilapidation Bill. The Chair also thanked Assembly officials for organising the event.

The Committee noted that the YA Secretariat will issue the Committee with a report on the meeting due course.

Agreed: The Committee agreed to accept the report as evidence for the bill consideration.

The Chair referred to an invitation from Ready Egg Products to visit its processing facilities in Lisnaskea, Co Fermanagh.

Agreed: The Committee agreed to add the invitation to the list of potential visits.

4. Minutes

The Minutes of the meeting on 9 October 2025 were agreed and signed by the Chair to be published.

Agreed: The Minutes were agreed.

5. Matters Arising

The Committee considered correspondence from the Minister dated 14 October in response to its concerns regarding the A5 Western Corridor scheme.

The Committee noted the Minister has stated that due to an error, the correspondence it considered at the meeting of 2 October did not contain the explanation detailed in an earlier draft and now advises that the basis of the intervention in Minister Kimmins' appeal against the High Court ruling will be to clarify the interpretation of the Climate Change Act (Northern Ireland) 2022 so that it can be fully implemented as intended.

Agreed: The Committee agreed to note.

A Member raised a query in relation to the Departmental briefing on 2 October regarding the SL1 The Farm Sustainability Standards Regulations (Northern Ireland) 2025 and expressed concern that the Department deemed that a full Human Rights Assessment was not required despite the increased powers that are proposed.

Agreed: The Committee agreed to write to the Department to seek an explanation as to why a full assessment was not required.

A Member raised a query in relation to The Bovine Genetics Genotyping Scheme. The Member wished to seek clarity regarding the Department's future intentions regarding the voluntary nature of the scheme and if there are plans to introduce regulations post 2026 / 27 to make participation mandatory in the future.

Agreed: The Committee agreed to write to the Department to seek clarity on the matter.

The Committee considered a response from the Department, dated 13 October, in reply to its letter of regarding The Agricultural Schemes (Amendment) Regulations (Northern Ireland) 2025.

The Committee noted the response confirming that the SR will not remove the ability for the Department to apply penalties going forward using the 1949 Act.

Agreed: The Committee agreed to note.

The Committee considered correspondence from the Deputy Chair of the Committee on Procedures in response to its letter regarding a review of Legislative Consent Motions (LCMs) around improved scrutiny time and resources.

The Committee noted that that Committee on Procedures will now add consideration of LCMs and Standing Order 42A to its list of priority work areas.

Agreed: The Committee agreed to note.

Propertymark representatives joined the meeting at 10:16am

6. Dilapidation Bill Oral Evidence Session - Propertymark

This agenda item was recorded by Hansard

The following Propertymark representatives briefed the Committee:

- Mr Timothy Douglas - Head of Policy & Campaigns; and
- Mr Stephen McCarron – Board Member

The Committee heard concerns including: low penalties would fail to serve as a sufficient deterrent compared to costs required for improvements; that failure to identify owners of buildings could raise issues; and the need to provide incentives to encourage and support owners without sufficient funds available to carry out improvements.

There then followed a question and answer session and areas of discussion included:

A concern that public finances should not be used to assist private businesses to make profits; the impact of planning delays on reducing the viability of renovation projects due to increased building costs; and the disproportionate impact of the Bill on small businesses compared to those that are larger and better resourced.

The Chair thanked the representatives for their attendance.

Áine Murphy MLA left the meeting at 10:40am

The Propertymark representatives left the meeting at 11:12am

The Departmental Officials joined the meeting at 11:13am

7. Departmental Oral evidence session - SL1 The Waste (Fees and Charges) (Amendment No.2) Regulations (Northern Ireland) 2025

This agenda item was recorded by Hansard

The following Officials briefed the Committee:

- Mr Colin Breen - Assistant Director Environmental Resources Policy Division (ERPD);
- Mrs Carmel McDowell - Acting Head of Branch Waste Legislation, DAERA;
- Mr Mark Cherry - Head of Waste Regulation Unit, NIEA ;and
- Mr Philip Walker - Deputy Head of Financial Planning NIEA

The Committee considered the SL1 and accompanying draft Statutory Rule (SR) that the Department intends to make under the draft affirmative procedure to bring into effect the annual uplift to the Northern Ireland Environment Agency (NIEA) Waste Charging Scheme for 2025-2026.

The Committee heard if the GDP deflator figure of 2.39% is applied, there would be an anticipated shortfall of £750k and the proposed 6.19% uplift reflects an increase in NIEA staff costs.

There then followed a question and answer session and areas of discussion included: the potential impact of the increase on small waste carriers; if exemptions were considered for community led organisations; and if the increase could have a detrimental impact on compliance.

The Committee noted that as this is implementation of existing legislation, it was not necessary to complete a full Equality Impact Assessment but the process has been in operation for a number of years. The Department responded that the Assessment can be revisited it at the next review.

Agreed: The Committee agreed that it was content for the Department to make the Statutory Rule."

The Chair thanked the Officials for their attendance.

The Departmental Officials left the meeting at 11:24am

The Departmental Officials joined the meeting at 11:25am

8. Departmental Oral Evidence - Air Quality Common Framework

This agenda item was recorded by Hansard

The following Officials briefed the Committee

- Ms Amy Holmes, Head of Air and Environmental Quality Branch;
- Ms Caroline Barry, Head of Chemical and Industrial Pollution Policy Branch; and
- Ms Kate Fitzsimmons, Policy Advisor, Air and Environmental Quality Branch,

The Committee heard The Air Quality Common Framework covers all relevant air quality legislation which relates to those powers returned from the EU and sets out how the four administrations propose to work effectively together to improve air quality.

There then followed a question and answer session and areas of discussion included: concerns surrounding possible divergence from other parts of the UK; mechanisms for dispute resolution; how the framework will impact on local councils approach to air quality; and the level of engagement with counterparts in the Republic of Ireland on common issues.

In response to a query regarding what constitutes a "significant event" prompting an exceptional review of the Framework, Officials advised they would liaise with Defra and issue a response to the Committee detailing examples and scenarios.

The Chair thanked the Officials for their attendance.

Agreed: The Committee agreed that further scrutiny was required and the Committee Team would gather open source material regarding local council air quality data sets and consult with RaISe Officials.

The Department Officials left the meeting at 11:57am

The Committee agreed to suspend the meeting at 11:58am

The meeting resumed in closed session at 12:10pm

9. Consideration of the Committee End of Session Report 2024/25

The Committee considered the report.

The meeting resumed in open session at 12:14pm

The Committee returned to Agenda item 9:

Consideration of the Committee End of Session Report 2024/25

Agreed: The Committee agreed to publish the report.

10. Correspondence

The Committee considered a Memo from the Clerk to the Public Accounts Committee (PAC), dated 10 October, regarding the NIAO Report on Major Capital Projects : follow up report.

The Committee noted that PAC is aware of its joint work on this matter with the Infrastructure Committee and wish to advise of its continued interest in the A5, to avoid any potential duplication of work.

Agreed: The Committee agreed to note.

The Committee considered the 47th Examiner of Statutory Rules report dated 10 October.

Agreed: The Committee agreed to note.

The Committee considered correspondence dated 1 October from an Individual regarding notification that they will not meet the eligibility criteria to qualify for the Farm Sustainability Payment (FSP) Scheme 2026.

The Committee noted as a rule, it will not take up individual cases.

Agreed: The Committee agreed that the Clerk would respond on behalf of the Committee.

11. Forward Work Programme

The Committee noted the draft Forward Work Programme.

Agreed: The Committee agreed to publish the Forward Work Programme.

12. Any Other Business

There was no other business.

13. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 23 October at the Titanic Hotel, Belfast at 10.00am

The meeting was adjourned at 12:15pm

Signature: ……………………..

Robbie Butler MLA, Chairperson

Dated …………………………….