



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

11 April 2024

Room 21, Parliament Buildings

Present: Tom Elliott MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
Nicola Brogan MLA
Mr 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

Mr James Gilsenan, Senior Assistant Assembly Clerk

Mr Michael Greer, Clerical Supervisor

Mr Damien Brown, Clerical Officer

The Chair reminded members of the 'Declaration of Interests' and asked Members if there are any new interests to declare, relevant to the items under consideration at this meeting, that had not already been declared at the first meeting.

Tom Buchanan MLA declared an interest as a former councillor for Item 10.2

The meeting opened in public session at 10.08 am

1. Apologies

None

2. Chairperson's Business

2.1 Members agreed a minor amendment to the minute of the Committee meeting on 7 March 2024.

2.2 Members agreed to seek indicative cost for a stand at the 2025 Balmoral Show. The recent return of the Assembly has precluded booking a stand for 2024.

3. Minutes

Minutes of 21 March 2024 were agreed and signed.

4. Matters Arising

The Chairperson advised the Committee that it had received a response, dated 20 March 2024, from Minister Muir regarding clarification on paragraph 46 (and its impact) of the court decision on the Judicial Review taken by NI Badger Group.

Agreed: The Committee was content to note.

The Chairperson advised the Committee of a response from the Department relating to a query on the TB Strategic Partnership Group. The Department commissioned the Strategic Investment Board (SIB) to undertake a review of the TB Eradication Partnership. A draft report has been received and Officials have provided feedback to SIB. Once this report has been finalised, Officials will provide advice to the Minister for his consideration on the way forward.

Agreed: The Committee was content to note.

The Chairperson advised the Committee that it had received a response, dated 27 March 2024, from the Department regarding stakeholder engagement in relation to the draft Ammonia Strategy and the Operational Protocol following correspondence from the Ulster Farmer's Union (UFU).

The Department confirmed that DAERA has sought clarification and had further engagement with a small number of stakeholders on specific details raised during the consultation on the draft Strategy and reassured the UFU of the fundamental importance of stakeholder engagement to DAERA in the development of the Strategy and future Protocol.

Agreed: The Committee agreed to forward the response to the UFU.

The Chairperson advised the Committee that it had received a response, dated 29 March 2024, from Minister Muir regarding flooded agricultural lands.

The Department has no current plans to make compensation payments relating to flooded grassland but was considering the issue for potato growers in light of related guidance and budget pressures.

Agreed: The Committee agreed to write to the Department to obtain details of any previous flooding-related compensation schemes and the criteria applied when considering claims.

The Chairperson advised the Committee that it has received a response from the Department dated 29 March 2024 regarding the planning applications since the Ammonia Standing Advice had been paused. The Department provided an update on progress and status of the applications.

Agreed: The Committee was content to note.

William Irwin MLA joined the Committee at 10.23am

The Chairperson advised the Committee that it had received a response, dated 27 March 2024, regarding Large Scale Renewable Energy Planning Delays. The Department provided clarification on the delays and the rationale, including staff resource.

Agreed: The Committee was content to note.

The Chairperson advised the Committee that it has received a response from the Department, dated 08 April 2024, providing clarification on Ammonia Monitoring Stations across Northern Ireland.

Agreed: The Committee agreed to write to the Department seeking information on what the status of monitoring stations will be once the 25 additional stations opened since 2019 close in 2025 and what are the criteria for the location of monitoring stations.

The Chairperson advised the Committee that it has received a response from the Department, dated 08 April 2024, regarding Animal Welfare (Livestock Exports) Bill & EU Proposals to Update EC 1/2005 Protection of Animals During Transport.

Agreed: The Committee agreed to write to the Department seeking further information on its input to any consultation for the draft legislation and if the Department contributed in any way to the development of the legislation.

Officials from the Competition and Markets Authority joined the meeting at 10:28am.

5. Briefing from The Competition and Markets Authority (CMA) - The role of the CMA in Northern Ireland

The Chairperson welcomed the CMA Officials to the meeting and invited them to brief the Committee:

Mrs Louise Close – Northern Ireland Representative, CMA

Ms Lucy Eyre –Director, Markets CMA

Mr David Middlemiss - Director, Sustainability Taskforce CMA

Declan McAleer MLA joined the meeting at 10:32am

Michelle McIlveen MLA left the meeting at 10:54am

Nicola Brogan MLA left the meeting at 10:58am

Michelle McIlveen rejoined the meeting at 11:09am

William Irwin MLA rejoined the meeting at 11:15

Nicola Brogan MLA rejoined the meeting at 11.29am

The CMA Officials briefed the Committee, followed by a question and answer session with Members and offered to return to the Committee to give a further briefing on their work in Northern Ireland when required.

Issues covered included: electric vehicle infrastructure; veterinary service for domestic animals; the Groceries Code Adjudicator; triggers for investigation and enforcement; the potential for the CMA to look at different stages of the food supply chain; fertiliser and fuel prices; and green claims on packaging.

The Chairperson thanked the Officials for attending the meeting.

The Officials left the meeting at 11:29am

6. SL1 - The Climate Change (Reporting Bodies) Regulations (Northern Ireland) 2024

The motion was put: That the Committee has considered a proposal by the Department to make a Statutory Rule: “The Climate Change (Reporting Bodies) Regulations (Northern Ireland) 2024” and agrees that it is content for the Department to make the rule.

The motion was passed unanimously.

7. SR 2024/80 The Packaging Waste (Data Reporting) (No. 2) (Amendment) Regulations (Northern Ireland) 2024

The motion was put: That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2024/80 The Packaging Waste (Data Reporting) (No. 2) (Amendment) Regulations (Northern Ireland) 2024 and has no objection to the rule.

The motion was passed unanimously.

8. LCM: Pet Abduction Private Member’s Bill (UK Government)

At its meeting on 11 April It is anticipated that the Executive will consider a proposed Legislative Consent Memorandum (LCM) for the powers of this Westminster Private Member’s Bill extending to Northern Ireland.

Subject to Executive approval and the Committee’s view, it is intended to lay a Legislative Consent Memorandum in the Assembly within the next two weeks. The LCM is expected to be debated in the Assembly in May and the Committee will have an opportunity to consider and report on the matter.

Agreed: The Committee agreed that Committee staff should begin preparatory work for the scrutiny of this potential LCM, including requesting a written briefing from RaISe.

9. Departmental Consultation - Proposed Bill to amend legacy EU Common Market Organisation (CMO) schemes

The Committee considered correspondence from the Minister regarding his plans to consult on a proposed small Assembly Bill allowing DAERA to amend two legacy EU CMO Schemes – the Fruit and Vegetable Aid Scheme ('FVAS') and the Agri-food Information and Promotion Schemes ('Promotion Schemes').

Agreed: The Committee agreed to write to the Minister seeking a written explanation as to why legislation is required in this instance, given Ministerial powers under the Agriculture Act.

10. Correspondence

The Chairperson reminded Members that the Committee agreed to take copied correspondence from the House of Lords EU Affairs Sub Committee on the Windsor Framework on a case by case basis and Members can raise any concerns they have.

The Chairperson stated that he would draw attention to a number of items of correspondence.

10.1 Members noted correspondence from an individual who made a complaint against the Department for maladministration. The complaint was also dealt with by the Ombudsman.

Agreed: The Committee agreed to seek Assembly legal advice on the process to date and if there is a role for the Committee.

Agreed: Subject to the legal advice received, the Committee agreed to write to the Department to seek assurances on the steps taken by DAERA to ensure procedures are robust to ensure the issue will not arise again.

10.2 Members considered the Sixth Report of the Examiner of Statutory Rules.

Agreed: Members agreed to note the report.

10.3 Members noted copied correspondence from Rebecca Pow MP, Minister for Nature dated 21 March 2024, to the Chair of the Windsor Framework Sub-Committee regarding a Proposed Regulation of the European Parliament and of the Council on the fluorinated greenhouse gases, amending Directive (EU) 2019/197 and repealing Regulation (EU) No 517/2014.

Agreed: Members agreed to note.

10.4 Members noted correspondence from Claire Coutinho MP, Secretary of State for Energy Security & Net Zero, to Philip Dunne, MP Clerk of the Environmental Audit Committee, House of Commons, regarding parliamentary scrutiny of the 'Carbon Budget 7' target and associated Carbon Budget Delivery Plan.

Agreed: Members agreed to note.

10.6 Members noted correspondence dated 25 March 2024 from the Clerk of the Windsor Framework Democratic Scrutiny Committee regarding the Proposal to amend Regulation (EU) 2017/852 on Mercury. The Windsor Framework Committee considered evidence from the World Alliance for Mercury-Free Dentistry and agreed to forward it to this Committee.

Agreed: Members agreed to note.

10.7 Members noted correspondence from Lord Douglas-Miller, Minister for Biosecurity, Animal Health and Welfare dated 21 March 2024, to the Chair of the Windsor Framework Sub-Committee regarding a proposed Regulation on the production and marketing of plant reproductive material and Proposal for a Regulation on the production and marketing of forest reproductive material.

Agreed: Members agreed to note.

10.8 Members noted correspondence, dated 25 March, from the Northern Ireland Audit Office, a copy of their Report 'Water Quality in Northern Ireland's Rivers and Lakes'.

Agreed: The Committee agreed to write to the PAC to establish when they plan to consider the report.

10.9 Members noted correspondence, dated 28 March, regarding the North Channel Wind project, which proposes floating wind turbines off the coasts of East Antrim and North Down.

Agreed: Members agreed to add the North Channel Wind Project to the Committee list of potential briefings.

10.10 Members noted Departmental correspondence, dated 28 March regarding the UK Emissions trading scheme (ETS) expansion consultations, including expanding the UK ETS to maritime, to the waste sector, to the non-pipeline transportation of carbon dioxide and to integrating greenhouse gas removals in the UK ET.

Agreed: Members agreed to note.

10.11 Members noted correspondence from an individual regarding concerns over illegal dumping on Craigmole Road.

Agreed: Members agreed to forward the correspondence to the Department for comment.

11. Forward Work Programme

Members agreed to note the Committee Forward Programme.

12. Any Other Business

There were no other items of business.

13. Date, Time and place of next meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 18 April 2024, 10.00 am in Room 21.

The meeting went into closed session at 12:00 pm

14. Briefing from Research and Information Service (RaISe) – an Overview

The Chair welcomed the RaISe Officials to the meeting and invited them to brief the Committee.

- Mr Mark Allen, Research Officer; and
- Ms Suzie Cave, Research Officer

The Committee noted the following paper for the briefing:

- Briefing for AERA Committee from RaISe on potential issues for the AERA Committee.

The RaISe Officials briefed the Committee, followed by a question and answer session with Members and offered to return to the Committee to give further briefings in due course and to attend the Committee's Strategic Planning Meeting.

The Chair thanked the Researchers for their comprehensive briefing.

Agreed: The Committee noted that the Researchers agreed to return to the Committee to give further briefings and to attend to the planning meeting.

The Meeting adjourned at 1.29 pm

Signature:

Tom Elliott, Chairperson

Dated