



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Draft Minutes of Proceedings

Thursday 22 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

Áine Murphy MLA

Present by Video or Teleconference:

None

Apologies: Michelle McIlveen MLA

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

The meeting opened in Private Session at 10.03 am

A photograph of the Committee was taken to be up loaded to the Committee's website.

The meeting opened in public session at 10.06 am

1. Apologies

Michelle McIlveen MLA

2. Chairperson's Business

The Chair informed the Committee of an informal meeting he and the Deputy Chair held with the Minister Andrew Muir and the Permanent Secretary, Katrina Godfrey, on Tuesday 20 February 2024. The Clerk was also in attendance.

Agreed: The Committee noted the meeting and that the Clerk will write a short note of the meeting for next week's meeting.

The Chair informed the Committee that Minister Muir cannot attend our meeting of Thursday 29 February due to Executive business, and has proposed an alternative date of Tuesday 5 March 2024, 2.15 pm to 3.45 pm.

Agreed: The Committee agreed the alternative date to meet with Minister Muir.

The Committee noted an invitation for the Chair to attend Northern Ireland Food & Drink Awards 2024, Friday 15 March, Crown Plaza Hotel, Shaw's Bridge Belfast.

Agreed: The Committee noted the Chair's plans to attend the event.

The Committee noted an invitation for the Chair to PlayBoard NI's launch of ADAPT My Play, 4 March 2024 in Parliament Buildings at 11.00 am.

Agreed: The Committee noted the Chair's plans, diary permitting, to attend the event and that he hoped other Members would also attend if possible.

The Chair highlighted the potential use of a WhatsApp Group and/or MS Teams chat function during meetings.

Agreed: The Committee agreed to use a WhatsApp Group for urgent matters and at this stage did not see the need to use the TEAMS chat function during a meeting. This will be kept under review.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 15 February 2024.

4. Legacy Report 2017 - 2022

The Committee noted the Clerk's briefing paper which summarised the main points of the Legacy Report 2017 – 22 setting out the key activities, outputs and achievements of the previous Committee.

The Committee noted that they may wish to consider some of these,

Agreed: The Committee noted both the Legacy Report 2017 – 22 and the Clerk's briefing paper and agreed that they would consider some of the legacy issues as appropriate, for example, the report 'Breaking the Grass Ceiling', when considering the draft Forward Work Programme going forward.

Meeting went into Private Session at 10.15 am.

5. Committee Procedures and Practices

The Committee received an Induction Plan, presentation and briefing from the Clerk on key points from a series of induction papers on committee procedures and practices. The presentation covered key points regarding:

Agreed: The Committee noted some specific issues highlighted by the Clerk from the induction paper entitled the 'Committee's approach to dealing with correspondence and requests'.

Agreed: The Committee noted the Clerk has an additional presentation available on Statutory Regulations if required in the future.

Agreed: The Committee noted the X (formerly Twitter) account has been set up to highlight work or forthcoming work of the Committee. This will be managed by the Committee Team and can be found at @NIAAgriEnvRA.

Mr Patsy McGlone MLA left the meeting at 10.34 am

The meeting was suspended at 10.35 am

Mr Patsy McGlone MLA re-joined the meeting at 10.36 am

The meeting reconvened in Public Session at 10.43 am.

6. Oral Briefing: The Department of Agriculture, Environment & Rural Affairs – First Day Brief – Overview of the Department and its Finances

The Chair welcomed the DAERA Officials to the meeting and invited them to brief the Committee:

Mr Brian Doherty - Deputy Secretary, Strategic Planning & Corporate Services Group; and

Mr Roger Downey - Director of Finance.

The Committee noted the following papers for the briefing:

Briefing on the Budget Bill and Finance update;

Annex A – AERA Committee Briefing on the Budget Bill; and

Annex B – Overview of 2023-24 Financial Position.

The Departmental Officials briefed the Committee on the 2023 –24 Financial Position and information to date around the 2024-25 Budget, which was followed by a question and answer session.

Agreed: The Chair thanked the Officials for attending the meeting and it was noted the Committee would be writing to the Department for some further information.

Agreed: The Committee noted that the Officials will be returning to brief the Committee in more detail on the 2024 -25 Budget.

The Departmental Officials with responsibility for the Statutory Rules being addressed, joined the meeting in the Public Gallery.

7. Subordinate Legislation

The Committee noted the briefing they had received last week from the Examiner of Statutory Rules and that Members had now received Ms Kelly's published report. The Committee noted they would be considering 13 Statutory Rules.

The Chair reminded Members that in usual circumstances they would have scrutinised the SL1 in advance of the SR being made. However, in the circumstances both SL1s and SRs are in the meeting papers. The Chair welcomed the Departmental Officials to the meeting and thanked them for being available to come to the table if required by Members to give additional information on particular Statutory Rules.

Agreed: The Committee noted the Examiner of Statutory Rules latest report and that all the SRs under consideration were subject to the Negative Resolution Procedure.

7.1 SR 2022/193 The Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2022

Agreed: The Committee for Agriculture Environment and Rural Affairs considered SR 2022/193 The Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2022, and had no objection to the rule.

7.2 SR 2022/240 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2022

The Committee asked the Departmental Official to come to the table to clarify the rule and was content with the response. The Chair put the formal question on the SR to the Committee.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/240 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2022 and had no objection to the rule.

7.3 SR 2023/210 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2023

The Committee asked the relevant Departmental Official to come to the table to clarify the rule and was content with the response.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2023/210 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2023 and had no objection to the rule.

7.4 SR 2022/292 The Marine Protected Areas (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/292 The Marine Protected Areas (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022 and had no objection to the rule.

7.5 SR 2022/303 The Marine Protected Areas (Prohibited Methods of Fishing) (Amendment) Regulations (Northern Ireland) 2022.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/303 The Marine Protected Areas (Prohibited Methods of Fishing) (Amendment) Regulations (Northern Ireland) 2022 and had no objection to the rule.

7.6 SR 2023/135 The Marine Protected Areas (Prohibited Methods of Fishing) (Amendment) Regulations (Northern Ireland) 2023.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2023/135 The Marine Protected Areas (Prohibited Methods of Fishing) (Amendment) Regulations (Northern Ireland) 2023 and had no objection to the rule.

7.7 SR 2023/6 The Packaging Waste (Data Reporting) Regulations (Northern Ireland) 2023.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2023/6 The Packaging Waste (Data Reporting) Regulations (Northern Ireland) 2023 and had no objection to the rule.

7.8 SR 2023/25 The Packaging Waste (Data Reporting) (No.2) Regulations (Northern Ireland) 2023.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2023/25 The Packaging Waste (Data Reporting) (No.2) Regulations (Northern Ireland) 2023 and had no objection to the rule.

7.9 SR 2023/106 The Packaging Waste (Data Reporting) (No. 2) (Amendment) Regulations (Northern Ireland) 2023.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2023/106 The Packaging Waste (Data Reporting) (No. 2) (Amendment) Regulations (Northern Ireland) 2023 and had no objection to the rule.

7.10 SR 2022/199 The Agriculture (Student fees) Regulations (Northern Ireland) 2022.

The Committee asked the Departmental Official to come to the table to clarify the rule and was content with the response. The Chair put the formal question on the SR to the Committee.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/199 The Agriculture (Student fees) Regulations (Northern Ireland) 2022 and had no objection to the rule.

7.11 SR 2023/98 The Agriculture (Student fees) Regulations (Northern Ireland) 2023.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2023/98 The Agriculture (Student fees) Regulations (Northern Ireland) 2023 and had no objection to the rule.

7.12 SR 2022/200 The Equine Identification (Amendment) Regulations (Northern Ireland) 2022

The Committee asked the relevant Departmental Official to come to the table to clarify the rule and was content with the response. The Chair put the formal question on the SR to the Committee.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/200 The Equine Identification (Amendment) Regulations (Northern Ireland) 2022 and had no objection to the rule.

7.13 SR 2022/272 The Scallop Enhancement Sites (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/272 The Scallop Enhancement Sites (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022 and had no objection to the rule.

7.14 SR 2022/275 The Sulphur Content of Solid Fuel (Amendment) Regulations (Northern Ireland) 2022.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SR 2022/275 The Sulphur Content of Solid Fuel (Amendment) Regulations (Northern Ireland) 2022 and had no objection to the rule.

The Chair advised Members that the SRs for today were completed but that the Committee now had to consider two Statutory Instruments (SIs), which were subject to the Negative Resolution Procedure. He invited the Departmental Official Mr Richard Coey to address the meeting.

Mr Coey briefed to Committee and then took questions on the background and detail of the two SIs regarding the Greenhouse Gas Emissions Trading Scheme: SI 2022/1173 and SI 2023/850.

7.15 SI 2022/1173 The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2022.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SI 2022/1173 The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2022 and had no objection to the Statutory Instrument.

7.16 SI 2023/850 The Greenhouse Gas Emissions Trading Scheme (Amendment Order) 2023.

Agreed: The Committee for Agriculture Environment and Rural Affairs considered, SI 2023/850 The Greenhouse Gas Emissions Trading Scheme (Amendment Order) 2023 and had no objection to the Statutory Instrument.

Agreed: The Committee agreed that at a future meeting they wished to receive a briefing on Greenhouse Gas Emissions Trading Schemes more generally.

Mr John Blair MLA left the meeting at 11.57 am

Mr John Blair MLA re-joined the meeting at 12.05 pm

Mr Patsy McGlone MLA left the meeting at 12.04 pm

Ms Áine Murphy MLA left the meeting at 12.14 pm

Ms Áine Murphy MLA re-joined the meeting at 12.18 pm

The Chair thanked all the Departmental Officials for attending the meeting and they left the meeting at 12.33 pm.

8. Correspondence

The Committee addressed the following items of correspondence:

- a) Correspondence dated 7 February 2024 – correspondence from PCI Consulting regarding Mobuoy illegal waste site and those residents who live in close proximity.

Agreed: The Committee agreed to schedule an oral briefing in the draft Forward Work Programme.

- b) Correspondence dated 9 February 2024 - Northern Ireland Environment Link request to brief the Committee. NIEL is a network for non-statutory organisations concerned with the natural and built environment of Northern Ireland.

Agreed: The Committee agreed to schedule an oral briefing in the draft Forward Work Programme.

- c) Correspondence dated 2 February 2024 – request from the National Trust to brief the Committee and an invitation to visit one of their sites

Agreed: The Committee agreed to schedule an oral briefing in the draft Forward Work Programme and to consider a visit.

- d) Correspondence dated 13 February 2024 - Notification from Minister of Finance and response regarding Restoration Package Settlement.

Agreed: The Committee noted the correspondence.

- e) Correspondence dated 13 February 2024 – correspondence from the Fiscal Council regarding launch of their report ‘Northern Ireland’s Public Finances and the UK’.

Agreed: The Committee noted the correspondence.

- f) Email from Mineral Products Association (Northern Ireland) Ltd – information on ‘Wise Use of Water’ best practice guidance.

Agreed: The Committee noted the correspondence.

- g) Correspondence dated 14 February 2024 – request from the Office for Environmental Protection to brief the Committee. OEP have an independent role in protecting and improving the environment through holding public bodies to account.

Agreed: The Committee agreed to schedule an oral briefing in the draft Forward Work Programme.

- h) Correspondence dated 15 February 2024 – Northern Ireland Companion Animal Welfare Group regarding launch of 8 priorities on companion animal welfare.

Agreed: The Committee noted the correspondence.

- i) Email from the Farmers for Action on behalf of Northern Ireland Farm Groups, requesting to brief the Committee regarding the Northern Ireland Farm Welfare Bill.

Agreed: The Committee agreed to schedule an oral briefing in the draft forward work programme.

- j) Correspondence dated 15 February 2024 – request from RSPB Northern Ireland to brief the Committee and an invitation to visit one of their sites.

Agreed: The Committee agreed to schedule an oral briefing in the draft Forward Work Programme and to consider a visit.

- k) Correspondence dated 16 February 2024 – copy of letter to the Minister ‘Keeping Recycling Local’.

Agreed: The Committee noted the correspondence.

- l) Email from Barry Macdonald KC regarding Victoria Square Residential Tower regarding claims under the Defective Premises (NI) Order 1975.

Agreed: The Committee agreed to write to the Department to clarify if it has a remit for this matter; and to write to the Justice Committee to determine if it has plans for considering this matter.

- m) Dated 19 February 2024 – correspondence from the Clerk to the Windsor Framework Democratic Scrutiny Committee (DSC) on their procedures and functions. It is the role of DSC, not statutory committees, to examine and consider proposed new EU acts and proposed and published replacement acts.

Agreed: The Committee noted the roles and functions of DSC.

- n) Correspondence dated 19 February 2024 from Pivotal which is an ‘independent public policy think tank’ in Northern Ireland. Director, Anne Watt has requested a meeting with the Committee.

Agreed: The Committee agreed to request a written briefing from Pivotal.

- o) Email was received from Ulster Farmer’s Union requesting an opportunity to brief the Committee regarding policy issues and concerns from its members.

Agreed: The Committee agreed to schedule an oral briefing in the draft forward work programme.

The Committee noted the Press Articles of Interest referenced in the Correspondence Memo.

9. Draft Forward Work Programme

The Committee reviewed the draft Forward Work Programme to 21 March 2024 and agreed to amend the programme due to the Minister’s availability and the additional meeting of Tuesday 5 March 2024. Also, for the Committee Team to factor in the requests to brief the Committee.

The Committee noted that at its next meeting it will be briefed by Department Officials from DAERA’s Food, Farming and Rural Affairs Group and also from the Veterinary Service and Animal Health Group.

Agreed: The Committee agreed to factor into the draft Forward Work Programme briefings from rural networks and stakeholders.

Agreed: The Committee agreed that the Clerk will bring back a revised draft forward work programme to next week's meeting.

10. Date, Time and Place of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 29 February 2024, 10.00 am in Room 21.

The Meeting adjourned at 12.45pm.

Declan McAleer, Deputy Chairperson