



Northern Ireland
Assembly

Committee for Agriculture, Environment and Rural Affairs

Minutes of Proceedings

Thursday 30 September 2021

Meeting Location: Room 30/Virtual Meeting via StarLeaf

Present: Declan McAleer MLA (Chairperson)
Philip McGuigan MLA (Deputy Chairperson)

Present by Video or Teleconference:

Clare Bailey MLA
Rosemary Barton MLA
John Blair MLA
Harry Harvey MLA
William Irwin MLA
Patsy McGlone MLA

Apologies: None

Present: Caroline Perry, Clerk
Elaine Farrell, Assistant Clerk

In Attendance by Video or Teleconference:

Neal Flanagan, Assistant Clerk
Marion Johnson, Clerical Supervisor



Northern Ireland Assembly

The meeting commenced at 10.03 a.m. in Open Session

1. Apologies

None.

2. Chairperson's Business

The Chairperson drew Members' attention to a memorandum drafted by the Clerk outlining proposals for a series of sessions with stakeholders to give oral evidence on the Climate Change (No.2) Bill, which passed Second Stage on 27 September 2021. Members were reminded that, at the meeting on 9 September 2021, it had been agreed to invite multiple stakeholders to each event to hear collective views.

Sessions had been scheduled for: Thursday 14 October from 1.30 p.m. to 3.00 p.m. with representatives from the agri-food sector; Thursday 21 October from 1.30 p.m. to 3.00 p.m. with representatives from the environmental sector; Thursday 4 November from 12.00 p.m. to 1.00 p.m. with academics and policy groups; and Thursday 11 November from 12.00 p.m. to 1.00 p.m. with other stakeholders.

Agreed: The Committee agreed that Members contact the Clerk to confirm their availability for the evidence sessions, to hold the dates and times in their diaries, and to forward any suggestions for additional organisations that they may wish to hear from.

John Blair joined the meeting at 10.05 a.m.

The Chairperson provided a brief update on a meeting with representatives of the US Department of Agriculture's Foreign Agricultural Service, which took place on Tuesday 28 September. A note of the meeting will be circulated in due course.

The Chairperson reminded the Committee that the meeting would be suspended at approximately 10.45 a.m. to enable Members at Parliament Buildings to view the Carbon Battle Bus, which was visiting Parliament Buildings.



Northern Ireland Assembly

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 23 September 2021.

4. Matters Arising

None.

5. Written Briefing, DAERA: Statutory Instrument – The Ivory Prohibitions (Exemptions) (Process and Procedure) Regulations 2021

The Committee considered a DAERA written briefing on the implementation of the Ivory Prohibitions Regulations and relevant accompanying papers. The regulations set out detailed exemptions to the ban on the trade of ivory. The Chairperson outlined that DAERA will oversee, alongside DEFRA, the licensing of exempted items and enforce any identified breaches. It was outlined that the Minister had provided consent and approval for the Statutory Instrument, and it had been forwarded to the Committee for information only.

Agreed: The Committee agreed that Members forward any questions on the Statutory Instrument to the Clerk by close of business.

6. Oral Briefing, DAERA: Draft Green Growth Strategy

The Chairperson reminded Members that the Committee had been due to receive an oral briefing from Departmental officials on the development of the Draft Green Growth Strategy that is anticipated to be cleared by the Executive on 21 October 2021. The Committee had been advised that the relevant papers for this briefing were not cleared by the Minister's Private Office in sufficient time for officials to attend the meeting, despite the Department having requested time to brief the



Northern Ireland Assembly

Committee and it being scheduled on the Forward Work Programme. The Clerk is working with counterparts in the Department to rearrange the briefing.

Agreed: The Committee agreed to write to the Minister highlighting its disappointment and discontent that Members were unable to receive the briefing as scheduled.

Agreed: The Committee agreed that Members forward any questions or issues pertaining to the Green Growth strategy to the Clerk so that they can be collated and sent to the Department.

7. Oral Briefing, DAERA: October Monitoring Round

The following officials from DAERA joined the meeting via StarLeaf at 10.09 a.m.

Roger Downey, Finance Director
Lynda Lowe, Head of Financial Planning

The representatives briefed the Committee and this was followed by a question and answer session.

The Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to write to the Department to seek detail of compensation payments to building contractors due to the halting of construction work at ports of entry.

Agreed: The Committee agreed to write to the Department to seek information on how much, if any, funding for the Green Growth Strategy had been allocated or spent.

Agreed: The Committee agreed to write to the Department to seek detail of COVID related payments to the horticulture sector, including how many applications for funding had been received and how many had been rejected.



Northern Ireland Assembly

Agreed: The Committee agreed to write to the Department to seek information on when the COVID-19 Recovery Small Settlements Regeneration Programme is due to go live.

8. Oral Briefing, RaISe: Climate Change (No.2) Bill

The following official from the Assembly's Research and Information Service joined the meeting via StarLeaf at 10.34 a.m.

Suzie Cave, Assembly Research Officer

The Research Officer commenced briefing the Committee.

The meeting was suspended at 10.47 a.m.

The meeting resumed at 11.26 a.m. and the following Members re-joined the meeting:

Declan McAleer
Philip McGuigan
Clare Bailey
Rosemary Barton
John Blair
Harry Harvey
William Irwin

The Research Officer resumed briefing the Committee and this was followed by a question and answer session.

Patsy McGlone re-joined the meeting at 11.37 a.m.

The oral evidence session was reported by Hansard.

The Chairperson thanked the Research Officer for her attendance.



Northern Ireland
Assembly

9. Correspondence

Several Members voiced concern in relation to the position of DEFRA as outlined in correspondence from Minister Poots and Minister Lyons at item 10.

The Committee noted the following items of correspondence and agreed that they be actioned as suggested in the index of correspondence:

- i. Correspondence from the Minister for AERA outlining his intention to carry forward and extend certain rules in relation to Direct Agricultural Support Schemes for 2022;
- ii. DAERA correspondence informing the Committee that it had launched its consultation on the Food Strategy Framework on 24 September which will last for eight weeks;
- iii. DAERA correspondence advising that it intends to roll out a series of information and training events ahead of opening tranche 2 of the Farm Business Improvement Scheme;
- iv. Correspondence from the Committee for the Executive Office advising that it had heard evidence from the Bill Sponsor in relation to the Climate Change (No.1) Bill and the proposed role of TEO;
- v. Correspondence from the Committee for Finance advising that HM Treasury is expected to authorise a three-year spending envelope for devolved administrations in its upcoming Spending Review and advising that Departments should provide timely three-year forecasts to their Committees;
- vi. Correspondence from the Committee for Finance forwarding the forecast outturn for July 2021, which shows no projected variance for DAERA in respect of ring-fenced and non-ring-fenced resource DEL or capital expenditure;
- vii. Correspondence from the Committee for Finance advising that the Committee follow-up with the Department in respect of the relevant aspects of the £40m Unique Circumstances funding agreed via New Decade, New Approach;
- viii. The latest Delivery Tracking System report of DAERA-owned capital projects showing that all seven projects were assured as "Green" in terms of the latest project developments;



Northern Ireland Assembly

- ix. DAERA correspondence advising that DEFRA had published the Air Pollutant Inventory Report for England, Scotland, Wales and Northern Ireland;
- x. A letter from Minister for AERA and the Minister for the Economy outlining the steps that they have taken to address issues with workforce shortages in the pork industry;
- xi. A Departmental reply to Committee queries raised at its meeting on 9 September 2021;
- xii. A Departmental response to the Committee's questions raised on 9 September 2021 in respect of how it supports education and information sharing regarding Climate Change.

10. Forward Work Programme

The Chairperson reminded Members that an additional informal virtual meeting had been organised for Thursday 7 October from 2.00 p.m. to 4.00 p.m. to progress deliberations on the Climate Change (No.1) Bill. He further reminded Members that there will be a further two informal meetings on 14 and 21 October to consider evidence from the agri-food and environmental sectors on the Climate Change (No.2) Bill, as discussed and agreed earlier.

Agreed: The Committee agreed the Forward Work Programme.

11. Any Other Business

None.

12. 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 7 October 2021 at 9.30 a.m. and will be hybrid meeting streamed on the Assembly's website.



Northern Ireland Assembly

Agreed: The Committee agreed to move into Closed Session.

The meeting moved into Closed Session at 12.02 p.m.

13. Closed Session: Climate Change (No.1) Bill Informal Deliberations

The Chairperson informed Members that the Committee would resume informal deliberations on the Climate Change (No.1) Bill on a subject matter basis. The Chairperson highlighted papers to support Members' considerations, including a copy of the Bill, the stakeholder analysis report and a table of suggested amendments.

The Chairperson welcomed Barbara Love of the Assembly Bill Office, who had agreed to monitor discussions and make herself available to the Committee should Members wish to discuss options for potential amendments.

Clauses related to the establishment of a Climate Office and Climate Commissioner

The Chairperson reminded Members that the majority of the respondents to the Committee's call for evidence were supportive of the establishment of an independent Office and Commissioner in order to hold Government Departments to account for delivery of climate objectives.

Clause 5

Members considered the provisions of Clause 5, which states that the Climate Office and Commissioner shall be established. The Committee received no suggested amendments to this clause. Members discussed matters related to a business case for establishing the Office, its finances and oversight of the Commission.

Clause 6

Members considered the provisions of Clause 6, which sets out more detail on the independence of the Commissioner from the Executive and Assembly. Members noted the balance of the responses on the Clause from the Committee's call for



Northern Ireland Assembly

evidence, as well as suggested issues and amendments. Several Members agreed in principle that it was unnecessary to refer to the Official Secrets Act in Clause 6(6).

Clause 7

Members considered the provisions of Clause 7, which sets out provisions regarding the terms of appointment of the Commissioner including the restrictions on individuals holding other offices from applying. It also covers the circumstances in which the Commissioner may be removed from office. Members noted the balance of the responses on the Clause from the Committee's call for evidence, as well as suggested issues and amendments.

Clause 8

Members considered the provisions of Clause 8, which provides for how a vacancy in terms of the Commissioner's role should be managed. The Committee received no suggested amendments to this clause.

Clause 9

Members considered the provisions of Clause 9, which outlines the functions of the Commissioner in terms of laying annual progress reports and to report periodically on the review of the Act. Members noted the balance of the responses on the Clause from the Committee's call for evidence, as well as suggested issues and amendments. Members noted the previous week's discussion related to the requirement for a small and micro business impact test (SAMBIT). Members discussed the Commissioner's powers of enforcement. The Bill Sponsor voiced some concern regarding an overly burdensome responsibility on the Commissioner to report on other sectors and public bodies.

Clause 10

Members considered the provisions of Clause 10, which sets out the powers of the Commissioner that enable him/her to access any relevant documents to discharge his/her duties and states that any person holding such documents shall provide all necessary assistance to the Commissioner. Members noted the balance of the responses on the Clause from the Committee's call for evidence, as well as suggested issues and amendments.



Northern Ireland
Assembly

The Bill Sponsor undertook to consider and explore matters related to the power to call for documents and to report back to the Committee.

Agreed: The Committee agreed to request information comparing the powers and responsibilities of other similar bodies and commissions to access documents in the discharge of their duties.

The meeting was adjourned at 12.49 p.m.

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