

COMMITTEE FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS

MINUTES OF PROCEEDINGS

THURSDAY 15 OCTOBER 2020
ROOM 30, PARLIAMENT BUILDINGS

Present: Mr Declan McAleer MLA (Chairperson)
Mr Philip McGuigan MLA (Deputy Chairperson)
Ms Clare Bailey MLA
Mrs Rosemary Barton MLA
Mr John Blair MLA
Mr Maurice Bradley MLA (via StarLeaf)
Mr Harry Harvey MLA
Mr William Irwin MLA
Mr Patsy McGlone MLA (via StarLeaf)

In attendance: Ms Stella McArdle, Committee Clerk
Ms Barbara Love, Committee Clerk
Ms Elaine Farrell, Assistant Clerk
Ms Marion Johnson, Clerical Supervisor (via StarLeaf)
Ms Kate Duffy, Clerical Officer (via StarLeaf)

The meeting commenced at 9.30 a.m. in Closed Session

1. Legal Advice on Statutory Instruments

The Assembly Legal Adviser, Mr Alyn Hicks, joined the meeting at 9.32 a.m. and briefed the Committee on Statutory Instruments.

This was followed by a question and answer session.

Mr McGlone joined the meeting at 9.32 a.m.

Mr Irwin joined the meeting at 9.38 a.m.

Mr Blair joined the meeting at 9.40 a.m.

The Chairperson left the meeting at 9.49 a.m. The Deputy Chairperson assumed the Chair.

The Chairperson rejoined the meeting at 9.52 a.m. and resumed that Chair.

The meeting moved into Open Session at 10.00 a.m.

Ms Bailey left the meeting at 10.01 a.m.

2. Apologies

None.

3. Chairperson's Business

None.

4. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 8 October 2020.

5. Matters Arising

Noted: The Committee noted the follow-up correspondence from Mr Roger Armston, Larne Port, following his attendance at the Committee meeting on 8 October 2020.

6. Oral Evidence Session DAERA: Discussion Document on Environmental Plans, Principles and Governance

The following departmental officials joined the meeting via StarLeaf at 10.03 a.m.

John Mills, Grade 5, Head of Environmental Policy Division
Karl Beattie, Grade 7, Environment Bill Team

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

The oral evidence session was reported by Hansard.

Clare Bailey rejoined the meeting at 10.04 a.m.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to write to the Department to advise of the concerns expressed by some Members of the Committee on gaps with reference to the New Decade, New Approach document, Climate Change and Independent Environment Protection Agency; with transboundary issues and the limitations placed on the scope of the consultation process.

7. Oral Briefing: Forest Service Business Plan 2020-21.

The following departmental official joined the meeting via StarLeaf at 10.26 a.m.

Stuart Morwood, Grade 6, Divisional Officer

Mr Morwood briefed the Committee and this was followed by a question and answer session.

Mr McQuigan left the meeting at 10.36 a.m.

Mr McQuigan rejoined the meeting at 10.38 a.m.

Mr Blair left the meeting at 11.06 a.m.

Mr Blair rejoined the meeting at 11.15 a.m.

The Chairperson thanked the official for his attendance.

Agreed: The Committee agreed to move into Closed Session.

The meeting moved into Closed Session at 11.31 a.m.

Mr Blair left the meeting at 11.32 a.m.

The meeting moved into Open Session at 11.34 a.m.

Agreed: The Committee agreed to move to Agenda items 18 and 19 next.

8. Correspondence

The Committee noted the following:

- i. Correspondence from the Department on issues raised at the meeting on 1 July 2020 in respect of the NIEA Business Plan 2020/21.
- ii. Correspondence from the Department on the N Contribution to the UKG response to the 2020 Committee for Climate Change Annual Progress Report.
- iii. Correspondence from the Committee for Finance on Departmental Bids for Capital and Resource Funding during the Pandemic.
- iv. Correspondence from the Department on SI FD/06: The Agricultural Products, Food and Drink (Amendment etc.) Regulations 2020 which advised that the SI has been laid at Westminster on 14 October 2020.
- v. Correspondence from the Department on SI CMO/18: The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) (No.2) Regulation's 2020 which will be laid on 15 October 2020.

The Committee considered correspondence from the Department on the Review of the Schedule to the Rural Needs Act (NI) 2016.

Agreed: The Committee agreed to write to the Department to request a summary of the consultation responses and an update on any proposed changes to the schedule.

The Committee considered correspondence from Livestock Meat Commission on the PGI status for Irish Grass Fed Beef.

Agreed: The Committee agreed to write to the Livestock Meat Commission and request that it keeps the Committee informed of any updates on progress made.

The Committee considered correspondence from a representative from the Youth Climate Association NI requesting a meeting with the Committee.

Agreed: The Committee agreed to write to the representative to ascertain if the meeting is an individual request of a Youth Climate Association NI request.

The Committee considered correspondence from the Department on a Tourism Recovery Update.

Agreed: The Committee agreed to write to the Department to request periodic updates and a future oral briefing as time permits.

The Committee considered correspondence from the EU Affairs Officer on the Statutory Instrument dealing with how NI Goods will qualify for Unfettered Access after the Transition Period.

Agreed: The Committee agreed to forward the link to the Statutory Instrument to the NI Business Brexit Working Group to ask for its comments.

Agreed: The Committee agreed to write to the Department to request that the Permanent Secretary and his officials discuss the implications of the SI when they brief the Committee at the meeting on 5 November 2020.

Mr Blair rejoined the meeting at 11.41 a.m.

9. Forward Work Programme

The Chairperson advised Members that a virtual workshop for Committee Members on Effective Questioning has been organised for 6 November at 9.00 a.m. and will last for one hour.

The Chairperson advised Members that an informal virtual meeting has been organised with Grassroots Mountain Bikes for Tuesday 20 October 2020 at 1.00 p.m. on StarLeaf. Members are asked to advise the Clerk of their attendance.

Agreed: The Committee agreed the draft Forward Work Programme.

10. Oral Evidence DAERA: SI Defra The Ship Recycling (Facilities & Requirements for Hazardous Materials on Ships (Amendment) (EU Exit) Regulations 2020 (Cat 2)

The following departmental official joined the meeting via StarLeaf:

Anthony Courtney, Grade 7, Waste Legislation Branch.

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

The oral evidence was reported by Hansard.

The Committee noted SI Defra: The Ship Recycling (Facilities & Requirements for Hazardous Materials on Ships (Amendment) (EU Exit) Regulations 2020

Agreed: The Committee wishes it to be clearly understood that due to lack of information on SI Defra: The Ship Recycling (Facilities & Requirements for Hazardous Materials on Ships (Amendment) (EU Exit) Regulations 2020 and the limited time that it has had to consider it, it has been unable to fully explore and understand the potential impacts and implications to this jurisdiction. This difficulty has been further compounded by the fact that it is being asked to do so in the context of the legal uncertainties around the UK Internal Market Bill and The Withdrawal Agreement.

11. Oral Evidence DAERA: APH/20: The Seeds (Amendment) (EU Exit) Regulations 2020 (Cat 2)

The following departmental official joined the meeting via StarLeaf:

Tommy McNamara, Staff Officer, Environmental Farming Branch.

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

The oral evidence session was reported by Hansard.

The Committee noted APH/20: The Seeds (Amendment) (EU Exit) Regulations 2020

Agreed: The Committee wishes it to be clearly understood that due to lack of information on APH/20: The Seeds (Amendment) (EU Exit) Regulations 2020 and the limited time that it has had to consider it, it has been unable to fully explore and understand the potential impacts and implications to this jurisdiction. This difficulty has been further compounded by the fact that it is being asked to do so in the context of the legal uncertainties around the UK Internal Market Bill and The Withdrawal Agreement.

12. Oral Evidence DAERA: SI Defra CFP/20: The Marine and Fisheries (NI Protocol) Implementation Regulations 2020 (Cat 3)

The following departmental officials joined the meeting via StarLeaf:

David Steele, Grade 7, Fisheries Bill Team
Patrick Smyth, Deputy Principal, Sea Fisheries Policy & Grants Branch
Ciaran Cunningham, Grade 7, Acting Head of Marine & Fisheries
Transition Team

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

The oral evidence session was reported by Hansard.

Noted: The Committee noted that the title of the SI has subsequently been redrafted to read: The Common Fisheries Policy (Amendment etc.) (EU Exit) (No.2) Regulations 2020.

There were no papers provided for the SI and it was not considered by the Committee.

13. Oral Evidence DAERA: SI Defra/AQ/04: The Air Quality (NI Protocol) Regulations 2020

There were no papers provide for the SI and it was not considered by the Committee.

14. Oral Evidence DAERA: SI Defra APH/11: The Animal Health and Welfare (Amendment etc.) (EU Exit) Regulations 2020 (Cat 2)

The following departmental officials joined the meeting via StarLeaf:

Naomi Callaghan, Acting Director, Animal Health & Welfare Policy
Tommy McNamara, Staff Officer Environmental Farming Branch

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

The oral evidence was reported by Hansard.

Noted: The Committee noted that the title of the SI has subsequently been redrafted to read: The Animals, Aquatic Animal Health and Seeds (Amendment) (EU Exit) Regulations 2020.

The Committee noted SI Defra: The Animals, Aquatic Animal Health and Seeds (Amendment) (EU Exit) Regulations 2020

Agreed: The Committee wishes it to be clearly understood that due to the lack of information on SI Defra: The Animals, Aquatic Animal Health and Seeds (Amendment) (EU Exit) Regulations 2020 and the limited time that it has had to consider it, it has been unable to fully explore and understand the potential impacts and implications for this jurisdiction. This difficulty has been further compounded by the fact that it being asked to do so in the context of the legal uncertainties around the UK Internal Market Bill and the Withdrawal Agreement.

15. Oral Evidence DAERA: APH/006 (Agriculture and Horticulture Development Board (Amendment Order 2020 (Cat 1)

The Committee noted APG/006 (Agriculture and Horticulture Development Board (Amendment Order 2020)

Agreed: The Committee wishes it to be clearly understood that due to a lack of information on APG/006 (Agriculture and Horticulture Development Board (Amendment Order 2020) and the limited time that it has had to consider it, it has been unable to fully explore and understand the potential impacts and implications to this jurisdiction. This difficulty has been further compounded by the fact that it is being asked to do so in the context of the legal uncertainties around the UK Internal Market Bill and the Withdrawal Agreement.

16. Oral Evidence DAERA: SI Defra ENV/23: The Environment (Miscellaneous) Amendments (EU Exit) Regulations 2020 (Cat 1)

There were no papers provided for the SI and it was not considered by the Committee.

17. SL1: The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (NI) 2020

The Committee considered the written briefing from the Department on the Plant Health (Official Controls and Miscellaneous Provisions) Regulations (NI) 2020 which will revoke and replace the Plant Health (Official Controls and Miscellaneous Provisions) Regulations (NI) 2019 which the Committee

approved on 3 March 2020, as DSO has since advised that it contains unnecessary legal references which need revoked and replaced with further EU Implementing Decisions subsequent to 14 December 2019.

Agreed: The Committee agreed that it was content with merits of the policy and that it should move to the next legislative stage.

18.SL1: The Marketing of Fruit and Propagating Material (Amendment) Regulations (NI) 2020

The Committee considered the written briefing from the Department on the Marketing of Fruit and Propagating Material (Amendment) Regulations (NI) 2020 which will amend the 2017 regulations in order to implement Commission Implementing Directive (EU) 2019/1813 which amends Directive 2014/96/EU regarding the colour and content of a supplier's document.

Agreed: The Committee agreed to write to the Department to express concern that no consultation have taken place and to request if this can be addressed.

Agreed: The Committee agreed that it was content with the merits of policy and that it should move to the next legislative stage.

Ms Bailey left the meeting at 12.06 p.m.

19.AOB

Agreed: The Committee agreed to write to the Department to express its disappointment that no reply has yet issued to the urgent request to extend the deadline for slurry spreading.

Agreed: The Committee agreed to write to the Department to request an update on the Covid-19 support payments to the fishing industry to include information on when they will be paid.

20.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 22 October 2020 at 9.00 a.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 12.12 p.m.

Declan McAleer, Chairperson, Committee for Agriculture and Rural Development

Date