

COMMITTEE FOR AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS

MINUTES OF PROCEEDINGS

THURSDAY 28 JANUARY 2021
VIRTUAL MEETING, STARLEAF

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
Mr Harry Harvey MLA
Mr William Irwin MLA
Mr Patsy McGlone MLA

In attendance: Ms Stella McArdle, Committee Clerk
Ms Barbara Love, Committee Clerk
Ms Elaine Farrell, Assistant Clerk
Ms Angela McParland, Assistant Clerk
Ms Marion Johnson, Clerical Supervisor
Ms Kate Duffy, Clerical Officer

The Committee commenced at 9.59 a.m. in Closed Session

1. Chairperson's Business

The Committee discussed correspondence from the Chairpersons' Liaison Group in relation to alternative arrangements for committee meetings in order to reduce face-to-face interactions in light of potential to spread Covid-19.

Mr Bradley joined the meeting at 10.05 a.m.

The Chairperson advised the Committee that he will be carrying out an interview as Chairperson with AgendaNI on 29 January 2021 to discuss AERA related topics for inclusion in their annual agri-business report.

Agreed: The Committee agreed to publish its letters to the UK Government, and others, on issues relating to Brexit on the Committee webpage.

The meeting moved into Open Session at 10.10 a.m.

2. Apologies

None.

3. Minutes of the meeting held on 21 January 2021

Agreed: The Committee agreed the minutes of the meeting held on 21 January 2021.

4. Matters arising

None.

5. Oral Evidence Session DAERA: The Future of Agricultural Funding

The following officials joined the meeting via StarLeaf at 10.11 a.m.

Dr Rosemary Agnew, Director of Brexit
David Reid, Finance Director

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to write to the Department to request information on any schemes within the project 6 stream which may have an underspend.

Agreed: The Committee agreed to write to the Department to request clarification on the issue of Direct Payments linked/not linked to inflation.

Agreed: The Committee agreed to write to the Department to request confirmation on the date for the launch of the consultation for Future Rural Programme.

Agreed: The Committee agreed to write to the Department to seek further information on what factors were considered in relation to further bids for funding to the recent Monitoring Round.

6. Oral Evidence Session DAERA: Covid-19 Financial Support for Lough Neagh Fisheries

The following departmental officials joined the meeting via StarLeaf at 11.06 a.m.

Owen Lyttle, Director of Marine and Fisheries
Seamus Connor, Head of Inland Fisheries Branch
Damien McCann, Grade 7, Inland Fisheries Branch

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to write to the Department to request that officials provide a breakdown of EMFF available for Covid19 support for Lough Neagh Fisheries at the meeting on 4 February 2021.

Agreed: The Committee agreed to request information on whether compensation was paid to Lough Erne eel fishermen when a ban was imposed in 2010.

7. Oral Evidence Session DAERA: Independent Panel for Review of Decisions

The following departmental officials joined the meeting via StarLeaf at 11.44 a.m.

Jason Foy, Area Based Schemes Organisational Development
Gregor Kerr, Area Based Schemes Operational Policy Branch
Teresa O'Neill, Area Based Schemes Delivery Unit
John McGrath, Areas Based Schemes Payment Branch

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

8. SR 2020/353: The Animals (Health, Identification, Trade and Veterinary Medicines (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/353: The Animals (Health, Identification, Trade and Veterinary Medicines (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 and noted that the Examiner of Statutory Rules (ESR) has highlighted in her report that the regulations have broken the 21-day rule, however the ESR is satisfied with the explanation provided by the Department.

Agreed: The Committee agreed to move into Closed Session.

The meeting moved into Closed Session at 12:46 p.m.

The meeting moved into Open Session at 13:05 p.m.

Question put and agreed:

‘That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2020/353: The Animals (Health, Identification, Trade and Veterinary Medicines (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 and has no objection to the Rule’.

Mrs Barton raised an objection to the SR on the grounds of the Protocol.

Agreed: The Committee agreed to write to the Department to request an oral briefing on a range of issues connected to the importation of animals from Britain.

Agreed: The Committee agreed to write to the Department to request an oral briefing on any analysis by the Department on whether the Trade and Cooperation Agreement has changed the impact assessments provided by DAERA on SRs previously considered by the Committee and what action the Department is taking to identify the impact of the Trade Cooperation Agreement and the Protocol.

9. SR 2020/359: The Marketing of Seed Potatoes and Propagating Material Regulations (Northern Ireland) 2020

The Committee considered SR 2020/359: The Marketing of Seed Potatoes and Propagating Material Regulations (Northern Ireland) 2020 and noted that the ESR has highlighted in her report that the regulations have broken the 21-day rule, however the ESR is satisfied with the explanation provided by the Department. The Committee further noted that the ESR has highlighted a drafting error which the Department will correct at the earliest opportunity.

Question put and agreed:

‘That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2020/359: The Marketing of Seed Potatoes and Propagating Material Regulations (Northern Ireland) 2020 and has no objection to the Rule’.

10. SR 2020/360: The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/360: The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 and noted that the ESR has highlighted in her report that the regulations have broken the 21-day rule, however she is satisfied with the explanation provided by the Department.

Question put and agreed:

‘That the Committee for Agriculture, Environment and Rural Affairs has considered SR 2020/360: The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 and has no objection to the Rule’.

Mrs Barton raised an objection to the SR on the grounds of the Protocol

11. Written Briefing DAERA: EU Transition – fortnightly update

Agreed: The Committee noted the departmental written briefing on EU Transition and agreed to write to the Department to request an analysis of the impact the delay on the Environment Bill will have on environmental schemes and end of mandate pressures.

Agreed: The Committee agreed to write to the Department to request information on the any amendments to the Environment Bill since the Committee last had sight of it.

Agreed: The Committee agreed to write to the Department to request information on the Cross Departmental Food Supply Forum and the EU Transition Programme Board.

12. Correspondence

The Committee noted the following:

- i. Correspondence from the Department on the Public Consultation on the Northern Ireland Environment Agency's Regulatory Charging Policy for 2021-23.
- ii. Correspondence from the Department on The Agricultural Products, Food and Drink (Amendment) (EU Exit) Regulations 2020 [FD/07-Reserved].
- iii. Correspondence from Northern Ireland Fishermen's Federation to George Eustice MP on apportioning additional quota between the UK Administrations;
- iv. Correspondence from the Department on Defra/CTS/002 The Environment and Wildlife (Miscellaneous Amendments etc.) Regulations 2021;
- v. Correspondence from the Department of Finance on its draft consultation document on the Executive's proposed spending plans for 1 April 2021-31 March 2022;
- vi. Correspondence from an individual on historic Single Farm Payments and Review of Decisions;
- vii. The Twenty First Report from the Examiner of Statutory Rules in which she reported that she has no issues with SR 2020/303, SR 2020/304 and SR 2020/319 which the Committee had previously considered.

The Committee considered correspondence from the Department on the proposal by the Minister to bring forward legislation to revoke the Agricultural Wages (Regulation) (Northern Ireland) Order 1977.

Agreed: The Committee agreed to write to the Department to request written updates on the timeframe and steps required as the process to revoke the Order progresses.

The Committee considered correspondence from the Committee for Justice on the Health Protection Regulations and a request that has been made to Ministers to engage with their respective committee on any relevant aspects of the Regulations which cover their policy areas.

Agreed: The Committee agreed to write to the Department to request that the Minister updates the Committee at his earliest convenience on issues as outlined by the Committee for Justice.

The Committee considered correspondence from the Agricultural Consultants Association (ACA) requesting to brief the Committee on role of the Independent Panel on Review of Decisions.

Agreed: The Committee agreed to write to ACA to advise that it will be invited, along with other stakeholders, to give evidence to the Committee in due course.

The Committee considered correspondence from Business in the Community on a campaign it is leading on Climate Change in Northern Ireland and which it is seeking funding for.

Agreed: The Committee agreed to write to Business in the Community to advise that it welcomes the campaign however the issue of funding should be considered by the DAERA and the Department for the Economy.

The Committee considered correspondence from Renewables NI on recent KPMG report: An Economic Review of Small Scale Wind in NI and a request to brief the Committee.

Agreed: The Committee agreed to write to Renewables NI to thank them for forwarding the report and to advise that at this stage, the Committee is unable to take oral evidence on the issue due to Covid-19 restrictions.

The Committee considered correspondence from Which? on its report: National Trade Conversation NI and a request to brief the Committee.

Agreed: The Committee agreed to write to Which? to thank them for forwarding the report and to advise that at this stage the Committee is unable to schedule a briefing due to a heavily committed work programme.

The Committee considered correspondence from Ian Paisley MP in response to a letter the Committee issued to George Eustice MP on the NI share of the UK fishing quota.

Agreed: The Committee agreed to consider the suggestion by Mr Paisley of a joint lobby of the Agriculture Minister in

Westminster when it next discusses its Forward Work Programme.

The Committee considered correspondence from the Finance Committee on the Draft Budget 2021-22 and a request to review the impact of the it and forward a response by 12 February 2021.

Agreed: The Committee agreed to draft its response to the Finance Committee following the departmental briefing on the draft budget on 4 February 2021.

The Committee considered correspondence from Hillmount Garden Centre highlighting issues, they are having with supplies from GB due to Brexit.

Agreed: The Committee agreed to write to Minister Gove on the issues highlighted by Hillmount Garden Centre and to ask the Department what actions it is taking in relation to issues experienced by many garden centres.

The Committee considered correspondence from Jim Shannon MP on the Committee's approach to considering the role of the Independent Panel on Review of Decisions.

Agreed: The Committee agreed to write to Mr Shannon to thank him for his correspondence and advise that it is in the process of considering which stakeholders it will be writing to on the issue.

The Committee considered correspondence from NIAPA on the Independent Panel on Review of Decisions and its request to give evidence to the Committee.

Agreed: The Committee agreed to write to NIAPA to advise that it will be invited, along with other stakeholders, to give evidence to the Committee in due course.

13.AOB

Members discussed the issue of the movement of pedigree rabbits from here to Great Britain and vice versa and the banning of the sale of Lough Neagh eels and agreed that these issues could be addressed when the Department briefs the Committee on EU related issues.

14.Date and time of the next meeting

The next virtual meeting virtual of the Committee for Agriculture, Environment and Rural affairs will take place on Thursday 4 February 2021 at 9.30 a.m. and will be streamed from Room 30, Parliament Buildings.

Agreed: The Committee agreed to move into Closed Session to discuss the Forward Work Programme.

The meeting moved into Closed Session at 13.14 p.m.

15. Forward Work Programme

The Committee discussed the draft Forward Work Programme.

Agreed: The Committee agreed which stakeholders it would request oral and written evidence from on the issue of the Independent Panel of Review of Decisions review.

Agreed: The Committee agreed to a joint meeting with the Committee for the Economy and the Committee for Infrastructure and HMRC to discuss issues related to the Trader Support Service.

Agreed: The Committee agreed to request written evidence from the NI Horticultural Forum in relation to issues experienced by Garden Centres and the importation of plants from Great Britain.

Agreed: The Committee agreed to move its evidence session on the Farm Welfare Bill to 25 February 2021.

Agreed: The Committee agreed the draft Forward Work Programme.

The meeting adjourned at 13.43 p.m.

Declan McAleer, Chairperson, Committee for Agriculture and Rural Development

Date