



Northern Ireland  
Assembly

# Committee for Agriculture, Environment and Rural Affairs

## Minutes of Proceedings

Thursday 6 May 2021

**Meeting Location:** Room 30, Parliament Buildings

**Present:** Declan McAleer MLA (Chairperson)

**Present by Video or Teleconference:**

Philip McGuigan MLA (Deputy Chairperson)

Clare Bailey MLA

Rosemary Barton MLA

John Blair MLA

Maurice Bradley MLA

Harry Harvey MLA

William Irwin MLA

Patsy McGlone MLA

**Apologies:** None

**In Attendance:** Stella McArdle, Clerk

Nick Henry, Clerk



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**In Attendance by Video or Teleconference:**

Elaine Farrell, Assistant Clerk

Marion Johnson, Clerical Supervisor

Kate Duffy, Clerical Officer

Jonathan McMillan, Head of Legal Services (agenda item 1)

The meeting commenced at 9.18 a.m. in closed session

**1. Matters arising**

Mr Jonathan McMillan, Head of Legal Services joined the meeting by StarLeaf at 9.20 a.m. and briefed the Committee on the Legal Advice it had requested in relation to the publication of an email to a Committee Member from a member of the public.

**Agreed:** The Committee agreed not to publish the contents of the email on the Committee's webpage.

The Committee discussed correspondence a Committee Member had received from Mid and East Antrim Borough Council.

**Agreed:** The Committee agreed to seek legal advice on how the issues addressed within the correspondence should be dealt with.

Agreed: The Committee agreed to move to agenda item 3 next and defer agenda item 2 until later in the meeting.

The meeting moved into Open Session at 9.59 a.m.



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## 2. Apologies

None

## 3. Chairpersons Business

The Chairperson advised the Committee that he has written to the Department to request an urgent written briefing on the river pollution incident in the Aughlish River, County Tyrone.

**Noted:** The Committee noted the committee memo on Privilege and Procedural fairness.

**Agreed:** The Committee agreed to write to the Department to seek a written briefing on the oil spillage incident which occurred on a County Down beach in April 2021.

## 4. Draft Minutes

**Agreed:** The Committee agreed the minutes of the meeting held on 29 April 2021.

**Agreed:** The Committee agreed to consider agenda item 7 next.

## 5. Committee consideration of the work plan for the Horse Racing (Amendment) Bill and the Committee Motion to extend Committee Stage

The Committee considered the work plan in respect of the Horse Racing (Amendment) Bill and the Committee Motion to extend Committee Stage.

**Agreed:** The Committee agreed to extend the Committee Stage of the Horse Racing (Amendment) Bill until the 28 January 2022.



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**Agreed:** The Committee agreed to the drafting of a public notice for a call for evidence to be signed off prior to publication.

**Agreed:** The Committee agreed the list of stakeholders it will seek written and oral evidence from using the thematic approach identified by RaISe.

**Agreed:** The Committee agreed the timetable of work in connection with the scrutiny of the Horse Racing (Amendment) Bill 2021.

**6. Oral Evidence Session PSNI: Withdrawal of DAERA and Local Authority staff from ports**

The following PSNI representatives joined the meeting by StarLeaf at 10.14 a.m.

Temporary Assistant Chief Constable, Bobby Singleton

Assistant Chief Constable, Mark McEwan

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

The oral evidence session was reported by Hansard.

The Chairperson left the meeting at 10.53 a.m. The Deputy Chairperson assumed the Chair.

The Chairperson rejoined the meeting at 11.11 a.m. and resumed the Chair.

The Chairperson thanked the PSNI representatives for their attendance.

**Agreed:** The Committee agreed to publish the PSNI briefing paper on the Committee's webpage.



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**7. Departmental Written Briefing: The Horse Racing (Amendment) Bill – Delegated Powers Memorandum**

**Agreed:** The Committee noted the Delegated Powers Memorandum for the Horse Racing (Amendment) Bill and agreed to publish it on the Committee’s webpage.

**8. Departmental Written Briefing: SL1 The Agriculture (Student Fees) (Amendment) Regulations 2021**

The Committee considered the departmental written briefing on SL1 The Agriculture (Student Fees) (Amendment) Regulations 2021 which will be laid before the Assembly under the Negative Resolution procedure and come into operation on 1 August 2021. The purpose of the SL1 is to apply an increase to tuition fees paid by full-time eligible students attending courses of higher education at CAFRE.

**Agreed:** The Committee agreed to write to the Department to seek further information on the potential impact the increase in student fees for EU students will have on the number of EU students who may choose to defer applying to CAFRE colleges.

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

**9. Departmental Written Briefing: Statutory Instrument AGS/006 The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021**

The Committee considered the departmental written briefing on the Statutory Instrument AGS/006 The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 and noted that Defra intends to lay the SI at Westminster on 15 May 2021 under the draft affirmative procedure.



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**Agreed:** The Committee wishes it to be clearly understood that due to the lack of information on SI AGS/006 The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc. Regulations 2021, 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 being asked to do so in the context of the legal uncertainties around the UK Internal Market Bill and the Withdrawal Agreement.

### **10. Departmental Written Briefing: Statutory Instrument AG/16 The Food and Drink (Miscellaneous Amendments Relating to Food and Wine Composition, Information and Labelling) Regulations 2021**

**Noted:** The Committee considered the Statutory Instrument AG/16 The Food and Drink (Miscellaneous Amendments Relating to Food and Wine Composition, Information and Labelling) Regulations 2021 which does not require the consent of the DAERA Minister and is therefore only for noting.

### **11. Departmental Written Briefing: Environmental Engagement Index**

**Noted:** The Committee noted the departmental written briefing on the Environmental Engagement Index and noted that questions for the Department are to be forwarded to the clerk by close of play.

### **12. Departmental Written Briefing: Green Growth Draft Strategy Framework**

**Noted:** The Committee noted the departmental written briefing on the Green Growth draft Strategy Framework and noted that questions for the Department are to be forwarded to the clerk by close of play.



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**13. Departmental Written Briefing: Consultation on Proposed Fees and Charges for NI Participants in the UK Emissions Trading Scheme (UK ETS)**

**Noted:** The Committee noted the departmental written briefing on the consultation on the Proposed Fees and Charges for NI Participants in the UK ETS and that the Department will now move to implement the fees and charges.

**14. Departmental Written Briefing: Consultation on the Agricultural Wages (Regulations) Order (Northern Ireland) 1977 – Agricultural Wages Board**

The Committee considered the departmental written briefing on the consultation on the Agricultural Wages (Regulations) Order (NI) 1977, which will launch in mid-May for a period of eight weeks.

**Agreed:** The Committee agreed to write to the Department to request an analysis of the consultation responses.

**15. Correspondence**

The Committee noted the following:

- i. The holding response from the Department in respect of issues raised at the meeting on 15 April 2021;
- ii. The Thirty-Fifth Report for the 2020-21 session from the Examiner of Statutory Rules in which attention to drawn to SR 2021/65 and a defect in the drafting;
- iii. Copied correspondence from a member of the public to the Department regarding the recent river pollution incident in the Aughlish River, Co. Tyrone, which the Committee has requested an urgent departmental written briefing

The Committee considered correspondence from Rural Community Network, which has also issued to the Health Committee on the Rural Needs Assessment which was carried out by the Department of Health in respect of its Mental Health Strategy



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2021-2031, in which it was concluded that there was no differential impact based on rural/urban living.

**Agreed:** The Committee agreed to write to the Department of Health to ask on what basis it concluded that there was no differential impact based on rural/urban living in the Rural Needs Assessment.

The Committee considered correspondence from Minister Poots on Common Frameworks and the JMC (En) Provisional Endorsement of Frameworks and Review of Provisional Frameworks in relation to Article 46 of the Internal Market Act 2000.

**Agreed:** The Committee agreed to publish the letter from the Minister on the Committee's webpage.

**Agreed:** The Committee agreed to write to the Minister to request that he keeps the Committee informed of the outworking of the DSO in relation to the Common Frameworks with Section 46 of the Internal Market Act 2020.

The Committee considered correspondence from the Department seeking the views of the Committee on the appointment of a local person to the Office of Environmental Protection (OEP) ahead of the Assembly's approval of the commencement of the relevant provisions of the Environment Bill.

**Agreed:** The Committee agreed to write to the Department to seek clarification on how the OEP will interface with an independent Environment Protection Agency and the oversight from NI.

**Agreed:** The Committee agreed to write to the Department to request information on how the appointment will be advertised and how applications will be sought.

### 16. Forward Work Programme

**Agreed:** The Committee agreed to move the departmental oral briefing on Nature Friendly Farming from 13 May to 20 May 2021 due to the unavailability of the lead official.





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**Noted:** The Committee noted that the responsibility for moderating StarLeaf meeting has now moved from Assembly Broadcasting to committee staff with effect from 13 May 2021.

**Agreed:** The Committee agreed the Forward Work Programme.

#### 17.AOB

None.

#### 18.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 13 May 2021 at 10.00 a.m. in Room 30, Parliament Buildings.

**Agreed:** The Committee agreed to consider the agenda item on Consideration of the Climate Change Bill work plan next.

#### 19.Committee consideration of the Climate Change Bill Work Plan

The clerk of the Committee briefed the Committee on the Climate Change Bill work plan.

**Agreed:** The Committee agreed to extend the Committee Stage of the Bill to December 2021.

**Agreed:** The Committee agreed to the drafting of a public notice for a call for evidence which will be signed off by the Committee prior to publication.

**Agreed:** The Committee agreed the use of Citizen Space as the main method of providing evidence to the Committee with questions agreed by the Committee prior to its release.



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**Agreed:** The Committee agreed the list of stakeholders to provide both oral and written evidence to the Committee, with the addition of Teagasc and Professor John Sweeney.

**Agreed:** The Committee agreed to host and participate in two virtual stakeholder events on 17 June 2021, of one which will include a Youth Event.

**Agreed:** The Committee agreed to write to other Assembly committees to seek their views on the Climate Change Bill.

**Agreed:** The Committee agreed to write to the Committee for the Executive Office to request that it considers and reports on the provisions allocated within the Bill to the Executive Office.

**20. Oral Evidence Session: Mid and East Antrim Borough Council (MEABC):  
Withdrawal of DAERA and Local Authority Staff from the ports**

The following representatives from MEABC joined the meeting by StarLeaf at 12.02 p.m.

Anne Donaghy, Chief Executive

Councillor Peter Johnston, Mayor

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

The oral evidence session was reported by Hansard.

Clare Bailey left the meeting at 1.00 p.m.

**Agreed:** The Committee agreed to write to the Chief Executive of MEABC to provide clarification on the accuracy of the detail in paragraphs 56 and 57 of their written briefing.

**Noted:** The Committee noted the correspondence from Belfast City Council in which clarification was provided in respect of contact from the Cabinet Office following Ms Donaghy's letter to them.



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The meeting was adjourned at 1.37 p.m.

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