



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Draft Minutes of Proceedings

16 May 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
Michelle McIlveen MLA
Áine Murphy MLA

Present by Video or Teleconference:

None

Apologies: None

In Attendance: Dr Janice Thompson, Assembly Clerk

Mrs Gillian Barker, Assistant Assembly Clerk

Mr Michael Greer, Clerical Supervisor

Mr Damien Brown, Clerical Officer

The Chair reminded Members of the 'Declaration of Interests' and asked if there are any new interests to declare, relevant to the items under consideration at this meeting, that had not already been declared at the first meeting.

The meeting opened in public session at 10.04 am

1. Apologies

None.

2. Minutes

Minutes of 9 May 2024 were agreed and signed.

3. Chairperson's Business

The Chairperson advised Members that Minister Muir had invited him and the Deputy Chair, Mr Declan McAleer to a Ministerial Briefing at Balmoral Show, on Thursday 16 May 2024. The Chair, having attended the Show the previous day, declined the invitation in order to Chair the Committee meeting as usual. The Vice Chair planned to attend the Show later in the morning.

4. Matters Arising

The Chairperson advised the Committee that it has received a substantial response from the Department dated 8 May 2024, in reply to its letter of the 19th April regarding Mobuoy (illegal waste site).

Agreed: The Committee noted the response and that this would be further discussed later on in the meeting under 'Committee Strategic Planning Day - summary of planning meeting discussions'.

The Chairperson advised the Committee that it has received information from the Department dated 14 May 2024, regarding a forthcoming review in May/June 2024 of the Tackling Rural Poverty and Social Isolation (TRPSI) Framework.

Agreed: The Committee noted the correspondence.

The Chairperson advised the Committee that it has received a response from the Department to its letter of 12 April 2024, regarding DAERA input to the consultation on the proposed EU regulation on the Protection of Animals during Transport; and progression of the new regulation in Europe.

The Department state that it did not submit a response to the public consultation as the purpose of the consultation was to provide the Commission with a means to engage with citizens and stakeholder groups.

The response highlighted that when the regulations are published, there will be a two-year period before they come into force. Based on the Department's reading of the publicly available draft, the majority of the new rules will be subject to a further 5-year transitional period.

The response also highlighted that since the Windsor Framework (Implementation) Regulations 2024 came into force on 12 April 2024, the Protection of Animals during Transport is now a matter which is the subject to the direction and control of the Secretary of State.

Agreed: The Committee noted the correspondence.

5. Oral Briefing from the Nature Friendly Farming Network

The Chair welcomed members of the Nature Friendly Farming Network:

- Mr Tim Morrow, Member of the Steering Group;
- Mr Phil Carson, UK Policy Lead;
- Mr Cormac Dolan, NI Manager; and
- Ms Louise Skelly, NI Steering Group.

The Committee noted the following papers from the Nature Friendly Farming Network:

- ‘Field of View – a roadmap to a better food and farming future’; and
- A briefing paper from the Nature Friendly Farming Network.

The Committee received a briefing from the Nature Friendly Farming Network and there then followed a question and answer session. Various issues were discussed including priorities and challenges ahead for biodiversity farming; the need for a robust Transition Plan; clarity on funding allocation; and the need for further education on soil nutrition.

The Steering Group also highlighted the importance of regenerative farming and the collection of data to manage carbon footprint. The Steering Group also asked that departmental reports produced on measuring carbon footprint would be easier to understand.

The Chair thanked the Steering Group for briefing the Committee.

Declan McAleer MLA left the meeting at 10.47am

Declan McAleer MLA re-joined the meeting at 10.59 am

Áine Murphy MLA left the meeting at 10.49 am

Áine Murphy MLA re-joined the meeting at 10.53 am

Michelle McIlveen MLA left the meeting at 10.55 am

Michelle McIlveen MLA re-joined the meeting at 11.01 am

William Irwin MLA left the meeting at 10.58 am

William Irwin MLA re-joined the meeting at 11.01 am

John Blair MLA left the meeting at 10.59 am

John Blair MLA re-joined the meeting at 11.02 am

The Nature Friendly Network Officials left the meeting at 11.18 am

6. SL1 Dangerous Dogs (Designated Types) Order (Northern Ireland) 2024.

The Chair welcomed the Departmental Officials to the meeting to provide some further information on this SL1. The Committee had previously considered the SL1 at their meeting on 2 May 2024.

The Chair invited the Officials to brief the Committee on the SL1:

- Mr Christopher Andrews, Animal Health and Welfare Policy Division, Animal Identification and Welfare Branch;
- Mr Neal Gartland, Director, Animal Health and Welfare Policy; and
- Ms Elsie McGarvey, Senior Principal Veterinary Officer.

The Committee noted the following papers:

- The Clerk's Memo dated 29 April 2024; and
- SL1 Dangerous Dogs (Designated Types) Order (Northern Ireland) 2024.

The Officials briefed the Committee and there then followed a question and answer session. The Committee highlighted their concerns on the timeline of the forthcoming second SR, which will set out details of the exemption and compensation scheme. The Committee raised concerns on the number of dog attacks and how this data was held by local Councils. Officials agreed to supply further information to assist the Members in the scrutiny of the SL1.

Agreed: The Committee agreed to write to the Department for a breakdown of data on dog attacks and the numbers classified as serious.

Agreed: The Committee also agreed to write to the Department regarding the SR currently being subject to negative resolution and if the SR should be subject to affirmative resolution; to ask the Department if this is legally possible, what impact would there be to the timeline if this was possible.

Agreed: The Committee agreed to discuss this matter at next week's meeting - Departmental Officials agreed to return to the meeting next week.

William Irwin MLA left the meeting at 11.39 am

William Irwin MLA re-joined the meeting at 11.43 am

The Departmental Officials left the meeting at 12.03 pm

7. SL1 Fisheries Act 2020 (Scheme for Financial Assistance (Northern Ireland) Regulations 2024.

The Committee noted the following papers:

- Clerk's Memo dated 13 May 2024; and
- SL1 'Fisheries Act 2020 (Scheme for Finance Assistance) (Northern Ireland) Regulations 2024.

The Committee noted this is their opportunity to consider the policy set out in the SL1 and noted that the SR is subject to the draft affirmative resolution procedure in the Assembly.

The Committee considered the Clerk's Memo dated 13 May 2024, which outlines the detail of the proposed SR to establish a scheme for the giving of financial assistance under paragraph 3(1) of Schedule 6 to the Fisheries Act 2020.

Agreed: The Committee were content to note.

8. SR 2024/93 The Climate Change (Reporting Bodies) Regulations (Northern Ireland) 2024

The Committee noted the following papers:

- The Clerk's Memo dated 13 May 2024; and
- SR 2024/93 The Climate Change (Reporting Bodies) Regulations (Northern Ireland) 2024.

The Committee had considered the SL1 at its meeting of 11 April 2024 and were content the SR be made – there has been no change to the policy since. The Examiner of Statutory Rules noted to the Clerk that under section 42(8) of the Climate Change Act (Northern Ireland) 2022, the first regulations made under this section must come into operation before the end of the period of 18

Months beginning with the day on which this Act receives Royal Assent, which was 6th June 2022.

The Committee noted these regulations are a few months late.

The Committee noted the Examiner of Statutory Rules has not drawn special attention to the SR.

Agreed: The Committee for Agriculture, Environment and Rural Affairs considered SR 2024/93 The Climate Change (Reporting Bodies) Regulations (Northern Ireland) 2024, and had no objection to the rule.

Declan McAleer left the meeting at 12.03 pm

The meeting was suspended at 12.07 pm

The meeting reconvened at 12.13 pm

9. Scrutiny of the draft Executive Budget for 2024-25

The Committee noted the following papers:

- NI Fiscal Report – Assessment of NI Executive Budget;
- Letter dated 9 May 2024 from Clerk to the Committee for Finance; and
- Clerk's Memo dated 15 May 2024.

The Committee noted correspondence dated 9 May 2024, from the Clerk to the Committee Finance regarding scrutiny of the draft Executive Budget 2024 – 25. The Committee has been asked for a return on this, by close of play 17 May 2024, and noted the vote on the Budget is scheduled for 28 May 2024.

The Committee considered the draft Committee Response from the Clerk based on the information on bids and allocations the Committee had received from DAERA, the Fiscal Council assessment of the budget and other issues the Committee had previously expressed concern about.

The Committee noted they will receive an oral briefing from the Department on 6 June.

Agreed: The Committee agreed that this is an unusual situation, to respond to the Finance Committee on the Executive Budget, prior to being briefed by the Department.

Agreed: The Committee agreed the draft response as its response and agreed it be sent to the Clerk for the Committee for Finance.

10. House of Lords European Affairs Sub-Committee on the Windsor Framework Inquiry - Veterinary Medicines and The Windsor Framework

The Committee noted the following papers:

- Clerk's Memo dated 7 May 2024; and
- Copied correspondence from Lord Jay of Ewelme, Chair of House of Lords European Affairs Sub-Committee on the Windsor Framework, dated 30 April 2024.

The Committee noted that, on 8 January 2024, the European Affairs Sub-Committee on the Windsor Framework launched an Inquiry into veterinary medicines and the Windsor Framework. The Inquiry sought to examine the consequences of the application of Regulation (EU) 2019/6 and its potential impact, including the effect on industry if no solution is reached.

The copied correspondence highlights the urgency to find a solution and to resolve this matter as soon as possible and also the need for the establishment of a Government Veterinary Working Group to progress issues. The correspondence outlines possible solutions from stakeholders to specific issues, including:

- Grandfather Rule;
- Acceptance of Marketing Authorisation Holder [AMAH] located in GB; and
- Recognition of GB Batch Testing.

The Committee discussed the matter and noted the scheduling of a debate on this matter in the Chamber next week.

Agreed: The Committee noted the correspondence.

11. Legislation where the Secretary of State has not exercised discretion under Regulation 3 of The Windsor Framework (Implementation) Regulations 2024 Not to Exercise Direction and Control.

The Committee noted the following papers:

- Clerk's Memo dated 13 May 2024;
- Letter from the Department dated 23 April 2024; and
- UK Government Guidance on the Regulations.

The Committee noted the correspondence in regards to 19 areas of legislation where the Secretary of State for Northern Ireland has not exercised discretion under Regulation 3 of The Windsor Framework (Implementation) Regulations 2024 not to exercise direction and control.

The Secretary of State anticipates exercising these powers only to the extent necessary to support the operation of the Windsor Framework, including relevant commitments of the Safeguarding the Union command paper.

The Committee discussed the issue and were concerned at the seemingly difference of opinion held by Minister, Officials of the Department and NIO on how these matters will be dealt with.

Agreed: The Committee agreed to request oral briefings from the Department and from the NIO to gain clarity and end the uncertainty on this matter.

12. Correspondence

Members considered correspondence from the Northern Ireland Sheep Industry Taskforce, dated 2 May 2024, setting out the Taskforce's vision for the industry for the industry and the challenges it faces.

Agreed: Members agreed to note.

Members considered correspondence from the Northern Ireland Fish Producer's Organisation [NIFPO], dated 3 May 2024, outlining a proposed solution to Blue Green Algae issue.

Agreed: Members noted the correspondence and agreed to forward to the Department. The Committee noted a potential briefing from NIFPO, and visit to a fishing harbour was being planned.

Members considered correspondence dated 7 May 2024, from the Senior Assistant Assembly Clerk to the Windsor Framework Democratic Scrutiny Committee, seeking clarity on regulations around travelling between Northern Ireland and Scotland with pets.

Agreed: Members agreed to write to the Department to ensure that on its website information is accurate and up to date for individuals travelling with pets.

Members considered correspondence dated 7 May 2024, from the Senior Assistant Assembly Clerk to the Windsor Framework Democratic Scrutiny Committee, detailing the impact the lack of Veterinary medicine has on animal health and welfare in Northern Ireland.

Agreed: Members noted this matter was addressed at today's meeting at Agenda item 10; and were content to note.

Members considered correspondence dated 8 May 2024 from the Department of Communities on Anti-Poverty Strategy.

Agreed: Members were content to note.

Members considered the Thirteenth Report of the Examiner of Statutory Rules, dated 10 May 2024. There were no SRs relevant to this Committee.

Agreed: Members agreed to note.

Members considered correspondence dated 10 May from the Clerk to the Committee for Economy regarding challenges to achieve new zero climate targets. That Committee has written to Minister Muir regarding how he is working with his Executive colleagues on achieving these targets.

Agreed: Members agreed to write to the Economy Committee that they keep AERA Committee updated with any response.

Members considered the Fourteenth Report of the Examiner of Statutory Rules, dated 10 May 2024.

Agreed: Members agreed to note.

Members considered correspondence from the Department regarding an Uplift of Marine Licensing Fees by 6.1% for the Financial Year 2024/25.

Agreed: Members agreed to note.

Members considered correspondence from the Department informing the Committee that the Department for Business and Trade intends to lay The Product Safety and Market Surveillance (Northern Ireland) (Consequential Amendment etc.) Regulations 2024 and the Minister is content with this proposal.

Agreed: Members agreed to note.

Members considered correspondence from the Department regarding a summary of responses to the UK-Wide Consultation on Contractual Relations in the UK Egg Industry.

Agreed: Members agreed to note as such contractual matters are reserved.

13. Any Other Business

There were no other items of business.

12 Date, Time and place of next meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 23 May 2024, 10.00 am in Room 21.

The meeting went into Private Session at 12.42 pm.

Áine Murphy MLA left the meeting at 12.42 pm

John Blair MLA left the meeting at 12.42 pm

13. Committee Strategic Planning Meeting – summary of planning meeting discussions.

The Committee welcomed Mark Allen and Suzie Cave from RaISE to the meeting, and considered the outcomes of the Strategic Planning Meeting, held on 25 April 2024 at Clotworthy House.

Agreed: The Committee team agreed to draft a forward work programme.

The Meeting adjourned at 13.12 pm

Signature:

Tom Elliott, Chairperson

Dated