



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

30 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.

Mr Tom Buchanan MLA and Mr Declan McAleer MLA declared interests under Agenda Item 9 'Departmental Written Briefing – Update on Dalradian Project'. Both Mr Buchanan MLA and Mr McAleer MLA have written to the Planning Appeals Commission concerned related matters, including the impact of the delay on other planning applications.

The meeting opened in public session at 10.03 am

1. Apologies

None

2. Chairperson's Business

The Chairperson advised there is no Forward Work Programme in the pack this week, however there will be an updated version in next week's pack. The Committee noted the Committee Team have been successful in booking two external meetings before summer recess.

The Committee will be visiting CAFRE, Greenmount College on Thursday 13 June and on 27 June, Kilkeel Harbour; these will incorporate the weekly public Committee meeting and then tours. There are also two visits confirmed for September and October – Clondeboy Estate and National Trust Mount Stewart.

Agreed: Committee noted.

The Chair advised that the Clerk had been contacted by an individual who had been forwarded on to her from the Rivers Agency, regarding a proposed solution to river pollution, specifically in the Ballinderry area. The request was to consider

the possibility of gated steel fences alongside fishing rivers and fishermen to have keys to access the riverside.

Agreed: The Committee noted the matter and that the individual did not wish to leave contact details nor email the Committee with further details.

3. Minutes

Minutes of 23 May 2024 were agreed and signed.

Mr Patsy McGlone MLA joined the meeting at 10.07 am

Mr William Irwin MLA joined the meeting at 10.10 am

4. Matters Arising

The Committee noted a response from the Department dated 24 May 2024, in reply to its letter of 10 May 2024, requesting clarification of the level of accountability of UK Emissions Trading Scheme (UK ETS) accredited verifiers.

The response notes that although there is no requirement for the UK ETS accredited verifiers to have a physical office in the UK or to be a legal entity registered in the UK, the verifier is required to be registered with The United Kingdom Accreditation Service appointed by government to carry out the required verification audits.

Agreed: The Committee noted the response.

The Committee considered follow-up correspondence from the Department, dated 23 May 2024, regarding the UK Emissions Trading Scheme (UK ETS) scope expansion consultation package. The UK ETS Authority is now intending to split the publication of these consultations into two release dates. Two of these consultations are now ready for publication:

- 'UK Emissions Trading Scheme Scope Expansion: Waste' and
- 'Integrating Greenhouse Gas Removals in the UK Emissions Trading Scheme'.

These will be followed in the near future by two further consultations, on proposals to expand the UK ETS to the domestic maritime sector from 2026, and

on how the scheme would recognise non-pipeline methods for moving captured CO₂ into storage, including by road, rail or shipping.

Agreed: The Committee noted the response.

The Committee noted a response from the Department, dated 28 May 2024, in reply to its letter of 10 May 2024, regarding the 'Inshore Vessel Monitoring Systems (IVMS) Financial Package.

The Department is considering how to best utilise the 2024/25 budget allocation to support the needs of the marine and fisheries sectors and is now commencing work to determine the most suitable devices for the Northern Ireland fleet and maximise its allocation for IVMS, and finalise the levels of funding that will be made available. Once this has been confirmed, the Department will provide an update to the Committee.

Agreed: The Committee noted the response and a Member highlighted that after this Government intervention, maintenance and replacement costs may become an issue for vessel owners. The Committee agreed to receive a further update on further detail and levels of funding for the scheme in due course.

The Committee considered correspondence dated 28 May 2024, which is a copy of Minister's Muir reply to the Chair of the Committee for Economy regarding its query on revising 'Utility Regulator VIRES – Consumer Protection and Net Zero'.

The Minister stated that his Officials have been engaging with Officials from DfE since last year and will continue to engage around the potential legislative amendments to strengthen the Utility Regulator's role in respect of the delivery of our net zero ambition.

Agreed: The Committee noted the response.

The Committee considered a response from the Department, dated 28 May 2024, in reply to our letter of 17 May 2024 regarding Travelling to Northern Ireland with Pets. The Department has confirmed that, as of 23 May 2024, the information

contained on the DAERA website is accurate in relation to the current requirements to travel with a pet from GB to NI.

Agreed: The Committee agreed to write to the Department to further clarify guidance on the website under 'Movement of Pets' particularly around certification requirements for pets travelling in consignments of less than five, for example to take part in a dog show.

Agreed: The Committee agreed to write to the individual to confirm that the information is up to date on the Department's website and that further clarity has been requested by the Committee.

5. Briefing from the Department of Agriculture, Environment & Rural Affairs – Marine Plan for Northern Ireland - Update on Draft Policies

The Committee noted the draft 'Marine Plan for Northern Ireland on Draft Policies' which has been modified to take account of the public consultation responses plus the significant legislative, strategic and policy changes that have taken place in recent years.

The Chair welcomed the following Departmental Officials:

- Mr Owen Lyttle, Director, Marine and Fisheries Division;
- Mr Colin Armstrong, Deputy Director, Marine and Fisheries; and
- Mr Jonny McNee, Senior Marine Planner, Marine Plan Team,

The Committee noted the following papers:

- Briefing from the Department dated 24 May 2024;
- Annex A – Modified Marine Plan May 2024; and
- Annex B – Indicative Timeline for Adoption Process for NI Marine Plan.

The Committee noted that the Officials are seeking views on the modified draft in advance of commencing the adoption process. The Officials briefed the Committee and there followed a question and answer session.

The Committee were supportive of the revised Marine Plan and also that there does not appear to be a need to appoint an Independent person to investigate proposals, given the lengthy consultation that took place.

The Committee noted next steps will include effective communication and engagement on the substantive draft NI Marine Plan; highlighting the eight objectives to a sustainable marine economy including how this will be applied to planning applications.

The Chair thanked the Officials for their briefing.

Agreed: The Committee were content for the Officials to progress as outlined in the briefing.

The Officials left the meeting at 10.48 am

6. Briefing from The Department of Agriculture, Environment & Rural Affairs - Proposed SBRI Phase 2 Sustainable Use of Livestock Slurry project.

The Chair welcomed the Departmental Officials:

- Mrs Claire Cockerill, Director of Green Growth & Climate Action; and
- Mr Jonathan McFerran, Deputy Director of Green Growth.

The Committee noted the following paper:

- Briefing paper from the Department – Progress Update on the Small Business Research Initiative (SBRI) on the Sustainable Utilisation of Livestock Slurry (SULS) - PHASE 2

The Committee noted the content of the department's briefing is largely in the public domain, however there are elements regarded as 'commercially sensitive' as the project involves the Intellectual Property of private organisations who participated in SULS Phase 1.

The Officials briefed the Committee on Phase 2 of the project and there then followed a question and answer session. The Committee noted farm equipment will separate slurry on farms to produce a compost like solid

fraction that is high in P; the process gives the opportunity to produce renewable electricity and gas (biomethane); and aims to increase the economic sustainability of nutrient processing.

The Committee agreed this was an exciting project and noted the Department is working with the Department of the Economy regarding its responsibility for sustainable / renewable energy.

The Chair thanked the Officials for their briefing.

Agreed: The Committee agreed to write to the Department to ask if the 'Green Investment Group' (Formally Green Investment Bank) has been or could be in the future involved in providing funding to the project or to farmers at the scale-up stage.

Ms Áine Murphy joined the meeting at 11.01 am

Mr John Blair MLA left the meeting at 11.35 am

Mr John Blair MLA re-joined the meeting at 11.41 am

Mr Tom Buchanan MLA left the meeting at 11.39 am

Mr Tom Buchanan MLA re-joined the meeting at 11.54 am

The Officials left the meeting at 11.41 am.

The meeting was suspended at 11.41 am.

The meeting re-convened at 11.50 am

7. SR 2024/115 The Agriculture (Student Fees) (Amendment) Regulations (Northern Ireland) 2024

The Committee noted the following papers:

- The Clerk's Memo dated 10 May 2024; and
- SR 2024/115 The Agriculture (Student Fees) (Amendment) Regulations (Northern Ireland) 2024.

The Committee noted they had considered and discussed the SL1 with a DAERA Official on 2nd May 2024 and were content that the rule be made

under the negative resolution procedure. There have been no changes to policy content since. The Rule will come into operation on 1st September 2024.

The proposed SR will amend the Agriculture (Student Fees) Regulations (Northern Ireland) 2023 to provide for an inflationary increase in the level of fees payable for undergraduate and postgraduate higher education courses delivered by DAERA at CAFRE.

The Committee noted the Examiner of Statutory Rules is expected to report on the SR in the next few days. The motion was put to the Committee:

That the Committee for Agriculture, Environment and Rural Affairs has considered ‘SR 2024/115 The Agriculture (Student Fees) (Amendment) Regulations (Northern Ireland) 2024’, and subject to the report from the examiner of Statutory Rules, has no objection to the Rule?

Agreed: The motion was passed unanimously.

8. Departmental Written Briefing: Northern Ireland Food Strategy Framework Overview.

The Committee considered the written briefing ‘Northern Ireland Food Strategy Framework Overview’, which is being led by DAERA to address a strategic food policy gap and to ensure alignment with similar work ongoing within Defra and the other devolved administrations.

Policy responsibilities also extend to the Departments for Economy, Communities, Health, Education, Justice and Finance and the draft Framework has been developed in collaboration with these Departments, the Food Standards Agency NI, Invest NI, and other main stakeholders.

The draft Framework provides for a new “whole of government” approach via an innovative food systems approach. The revised vision is “A transformed innovative food system that protects and enhances natural resources for

future generations, is environmentally sustainable, economically ambitious and provides safe, nutritionally balanced, accessible food for all.”

The Committee noted the next steps are:

- To seek Executive approval to publish the Framework; and
- Subject to Executive approval, an implementation plan will be developed.

Agreed: The Committee noted the written briefing and agreed to write to the Department on its concerns regarding quality and health standards on food imported from other countries, that is, will food imports be in line with the proposed new Food Strategy Framework.

Agreed: The Committee agreed to write to the Department on potential funding available to deliver the new Northern Ireland Food Strategy Framework.

8. DAERA Written Briefing: Update on Dalradian Project

The Committee noted the Minister’s Written Statement to the NI Assembly on 29 April 2024 regarding the Curraghinalt (Project) Dalradian. It was considered at the Committee meeting on 2 May 2024, when an oral briefing was requested on the issues covered in the Statement.

The Department has advised that until the Planning Appeals Commission [PAC] determines its approach, there is a risk that commentary on the case could be seen as seeking to influence or interfere with the work of the Commission.

The Committee noted the written briefing note covers two main issues addressed in the Minister’s Statement:

- (i) the deemed refusal of two Abstraction & Impoundment Licence applications that formed part of the conjoined public local inquiry established to consider representations received in relation to eight separate, but related, applications for the Dalradian Goldmine project; and

(ii) the inadvertent provision, by a Departmental official, of one piece of factually incorrect information to the Planning Appeals Commission [PAC] at the pre inquiry meeting on 20 March 2024.

Agreed: The Committee noted the written briefing however expressed concern there is no date for a new hearing. The Committee noted that once the PAC concludes their investigations they will receive an oral briefing from the Department.

Agreed: The Committee agreed to write to the Planning Appeals Commission on their concerns regarding the delays and impact on other planning applications, while this case is being investigated. The Committee agreed to copy this letter to the Justice Committee.

9. Correspondence

Members considered copied correspondence, dated 21 May 2024, from the Chair of HOL EU Sub Committee on the Windsor Framework - regarding the scrutiny of the Animal Welfare (Livestock Exports) Bill, which was discussed at last week's meeting when it was confirmed in a Departmental response that it does not apply to Northern Ireland. The Committee noted this Bill has now completed its remaining stages and has received Royal Assent.

Agreed: The Committee noted the correspondence.

Members considered correspondence, dated 22 May 2024, from the Ulster Angling Federation and request to brief the Committee.

Agreed: The Committee noted the correspondence and agreed the briefing to be scheduled in due course.

Members considered correspondence, dated 23 May 2024, from the Competition & Markets Authority regarding the launch of its investigation on the supply of veterinary services for household pets in the UK. This follows the consultation on the CMA's provisional decision to launch a market investigation, following the initial review into the vets sector which began last September.

Agreed: The Committee noted the correspondence.

Members considered copied correspondence, dated 23 May 2024, from the Senior Assistant Clerk of the Windsor Framework Democratic Scrutiny Committee –from Defra regarding the movement of pet birds into a Member state from a territory or a third country.

Agreed: The Committee agreed to seek more information on this matter.

Members considered correspondence, dated 26 May 2024, from Investment Strategy Northern Ireland, which is a copy of their ISNI Delivery Tracking System Investing Activity Report for DAERA.

Agreed: The Committee noted the correspondence.

The Committee considered correspondence, dated 28 May 2024, from DAERA Corporate Services Division regarding the Loughs Agency Annual Report and Accounts for 2022, which has been laid in the Business Office.

Agreed: The Committee noted the correspondence and that they previously agreed to receive a briefing from Loughs Agency in due course.

The Committee considered copied correspondence, dated 28 May 2024, from the Clerk to the Committee for Infrastructure regarding a letter, dated 2 May 2024, from the Chairperson of the House of Lords European Affairs Windsor Framework Sub-Committee to the Parliamentary Under Secretary of State, Department for Transport, on a proposal for requirements for ‘vehicle design and on management of end of-life vehicles’.

Agreed: The Committee noted the correspondence.

The Committee considered the Fifteen Report of the Examiner of Statutory Rules dated 28 May 2024. There are no SRs relevant to this Committee in the Report.

Agreed: The Committee noted the report.

10. Any Other Business

None

11. Date, Time and Place of next meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 6 June 2024, 9.15 am in Room 21.

The Meeting adjourned at 12.07 pm

Signature:

Tom Elliott, Chairperson

Dated