



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

20 June 2024

Room 21, Parliament Buildings

Present: Tom Elliott MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
Nicola Brogan MLA
Michelle McIlveen MLA
Áine Murphy MLA

Present by Video or Teleconference:

None

Apologies: John Blair MLA
Tom Buchanan MLA
William Irwin MLA
Patsy McGlone MLA

In Attendance: Dr Janice Thompson, Assembly Clerk
Mrs Gillian Barker, Assistant Assembly Clerk

Mr Michael Greer, Clerical Supervisor

Mr Damien Brown, Clerical Officer

The Meeting Opened in Public Session at 9.51 am

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 with 4 members, there was a quorum of 5 when Nicola Brogan MLA arrived at 10.01 am.

1. Apologies

John Blair MLA

Tom Buchanan MLA

William Irwin MLA

Patsy McGlone MLA

2. Chairperson's Business

The Chair advised the Members that the last meeting of the session will now be Monday 8 July at 10:00, when the Minister will update the Committee on a number of matters, including Lough Neagh, FSTP (5ha/3ha issue) and bTB compensation proposals.

The Chair advised Members that, as agreed at last week's meeting, he has set up a meeting between himself and the Deputy Chair with John Thompson and Dr Sam Strain from Animal Health and Welfare Northern Ireland (AHWNI). This has been arranged for after the formal meeting on Monday 8 July 2024 and all Committee Members are welcome to attend.

The Chair drew Members' attention to a memo from the Clerk to the Committee for Finance requesting the Committee provides a response on whether briefings have been received from the respective Departments on post-budget allocations, Department Business Plans and June Monitoring bids.

Agreed: The Committee agreed the Clerk would response to the Clerk to the Committee for Finance on the Department's briefings received and planned regarding post-budget allocations, departmental business plans and June Monitoring bids.

The Chair highlighted an event that all MLAs have been invited to – the reuse and repair event in Parliament Buildings, Stormont on 2 July 2024. The event been sponsored by the Chair and runs to 3.00 pm.

The Chair advised Members he had received a letter from the Northern Ireland Food and Drinks Association, highlighting that it supports the proposed legislation for a Deposit Return Scheme in relation to the Statutory Instrument at Agenda Item 10.

3. Oral Briefing from the Department of Agriculture, Environment and Rural Affairs - Hops (Amendment) Regulations (Northern Ireland) 2024 - Consultation Launch

The Chair welcomed the following Officials to the meeting:

- Alison Chambers – Grade 5 – Sustainable Agri-Food Development Division;
- Samantha Swann – Grade 7 - Poultrymeat, Eggs, Dairy, Wines & Spirits, Hops & Hemp Policy Branch; and
- Kevin Comber – Deputy Principal - Poultrymeat, Eggs, Dairy, Wines & Spirits, Hops & Hemp Policy Branch

The Committee considered the briefing paper and the draft SR Hops (Amendment) Regulations (Northern Ireland) 2024. The Department has

launched a targeted stakeholder engagement / consultation on proposals to update NI domestic legislation for hops to reflect new EU regulations on hops certification and hop imports from third countries. The consultation will close on 2 July 2024.

The Officials briefed the Committee and there then followed a question and answer session.

The Committee thanked the Officials for their presentations.

Nicola Brogan MLA joined the meeting at 10.01 am and the meeting was then in quorum.

4. Minutes

Minutes of 13 June 2024 were signed and agreed to be published.

5. Matters Arising

The Committee considered a response from the Department dated 17 June 2024 regarding its letter of 10 May 2024 on NIFAIS Briefing – Technology Options Appraisal and the Options Appraisal document produced as part of the business case to replace the APHIS system.

Agreed: Members noted the response.

The Committee considered a response from the Department dated 17 June 2024 in reply to its letter of 24 May 2024 regarding *SL1 – The Farm Sustainability Transition Payment Regulations (Northern Ireland) 2024*.

The Committee's letter expressed its concerns that farm businesses will be requested to declare 5 ha of eligible land, unlike BPS which only required 3 ha and the impact this will have on around 1400 small family farms. The response

includes a breakdown by County of the around 1400 farm businesses that may be impacted by the policy change.

Agreed: Members noted the response and that the Minister will further brief the Committee on this matter at its meeting on 8 July 2024.

The Committee considered a response from the Department dated 17 June in reply to its letter dated 7 June 2024 regarding clarification on the eligibility criteria in respect of the Rural Micro Capital Grant Scheme 2024/2025 and criteria regarding the Rural Business Development Grant Scheme .

Agreed: The Committee noted the closing date for applications as 8 July and agreed to write to the Department to extend this date by 2 weeks.

The Committee considered a response from the Department dated 18 June in reply to its letter dated 7 June 2024 requesting further clarification on the estimated costs associated with each remediation option that the Department is considering for each identified zone on the Mobuoy site.

The response provides the reasons why there is not yet a cost estimate that has been assessed and approved through the required public finance processes, such as an approved business case. There is no agreed preferred option, and there will not be until the consultation has been completed and responses carefully considered.

Agreed: The Committee noted the response.

The Committee considered a response from the Department, dated 18th June, in reply to its letter dated 7th June regarding Animal Welfare Concerns at a Sheep Husbandry Site in Antrim. The Department confirmed that it contacted the correspondent directly to establish the location and date of the incident in question.

Agreed: The Committee noted that the matter has now been referred to relevant officials for investigation.

The Department Officials joined the meeting at 10.19 am

6. Oral Briefing from The Department of Agriculture, Environment & Rural Affairs – on Legacy EU CMO Schemes

Department is to update the Committee on the outcome of consultation on a proposal for a Bill to amend legacy EU CMO schemes. I welcome the following Departmental Officials to the meeting:

- Mr John Terrington, DAERA; and
- Ms Elaine McCrory, DAERA

The Committee considered the briefing paper from the Department which is an update on the outcome of the consultation on a proposed Bill to amend Two Legacy EU CMO Schemes (i) The Fruit And Vegetable Aid Scheme; and (ii) Agri-Food Information and Promotions

The Committee welcomed the following Departmental Officials to the meeting:

- Mr John Terrington, DAERA; and
- Ms Elaine McCrory, DAERA

The Officials briefed the Committee and there then followed a question and answer session.

The Chair thanked the Officials for their briefing.

The Departmental Officials left the meeting at 10.25 am

7. Oral Briefing from the Mushroom Growers Association

The Committee received a briefing from the Northern Ireland Mushroom Growers Association (NIMGA), which was established in 2022 and represents 80% of mushroom farms in Northern Ireland.

- John McArdle, Deputy Chairperson, Northern Ireland Mushroom Growers Association
- Mr Martin McKee, Member, Northern Ireland Mushroom Growers Association

There then followed a question and answer session.

The Chair thanked Mr McArdle and Mr McKee for their briefing.

The Officials left the meeting at 10.50 am

8. Oral Briefing from the Mushroom Producer Organisation

The Committee received a briefing from the Mushroom Producer Organisation:

- Ms Liz Kelly, General Manager, Mushroom Producer Organisation; and
- Mr Andrew Mulligan, Member, Mushroom Producer Organisation

There then followed a question and answer session.

The Chair thanked Ms Kelly and Mr Andrew Mulligan for their briefing.

The Officials left the meeting at 11.09 am

Agreed: The Committee agreed to write to Minister Muir regarding the Seasonal Agriculture Workers Scheme [SAWS] and to the Migrations Advisory Committee in support of visa extensions for seasonal workers.

Agreed: The Committee agreed to write to the Home Office and the UK Minister once the UK elections have concluded, in support of visa extensions for seasonal workers.

The meeting was suspended at 11.10 am

The meeting was reconvened at 11.24 am

9. Statutory Instrument - The Draft Producer Responsibility Obligations (Packing and Packaging Waste) Regulations 2024

The Committee considered *SI The Draft Producer Responsibility Obligations (Packing and Packaging Waste) Regulations 2024*. The SI will be laid in Westminster by the end of 2024 and consent from Minister Muir has been granted for this SI to be made in respect of Northern Ireland.

The Committee noted this is a UK wide piece of legislation and ‘Packing EPR’ is within Directive 64/62/EC on packaging and packaging waste, which sits in Annex 2 of the Windsor Framework.

The legislation introduces Extended Producer Responsibility for packaging (pEPR) and in doing so fulfils commitments made by the UK Government and Devolved Administrations to introduce pEPR.

This instrument moves the cost of dealing with household packaging waste from local councils to those producers who use and supply packaging, giving them financial responsibility for their packaging throughout its life cycle.

Agreed: The Committee noted the SI ‘*The Draft Producer Responsibility Obligations (Packing and Packaging Waste) Regulations 2024*’.

10. Statutory Instrument – The Deposit Scheme for Drinks Containers (England and Northern Ireland) Regulations 2024

The Committee considered *SI ‘The Deposit Scheme for Drinks Containers (England and Northern Ireland) Regulations 2024’*. Defra is leading on this SI, which is a joint piece of legislation for Northern Ireland and England, which will implement a deposit return scheme (DRS) for single-use drinks containers.

The Committee noted the SI will be laid in Westminster by the end of 2024 and consent from the Minister Muir has been granted for this SI to be made in respect of Northern Ireland.

The development of Deposit Return Scheme (DRS) is a partnership project within the UK-wide programme of packaging reforms. DRS is a specific form

of Extended Producer Responsibility (EPR) where producers take responsibility for their products throughout their life cycle and beyond. It will have a target of 90% recycling within 3 years of launch

The NIEA will be the main regulator for the Deposit Return Scheme in Northern Ireland. An Impact Assessment is currently being developed and will be finalised this summer.

Agreed: The Committee noted the SI '*The Deposit Scheme for Drinks Containers (England and Northern Ireland) Regulations 2024*'

Agenda Item 15 (Tabled Papers) was taken after Agenda Item 10.

11. SR 2024/133 The Dangerous Dogs (Designated Types) Order (Northern Ireland) Order 2024.

The SR 2024/133 The Dangerous Dogs (Designated Types) Order (Northern Ireland) Order 2024, is subject to negative resolution and comes into operation on 5 July 2024.

The Committee noted that it had considered the SL1 at its meetings of 2nd, 16th and 23rd May and that there has been no change to policy content since the SL1 was agreed at its meeting of 23rd May.

The Committee considered the Nineteenth Report of the Examiner of Statutory Rules. The ESR has not drawn special attention to this rule.

Agreed: The Committee for Agriculture, Environment and Rural Affairs has considered SR The Dangerous Dogs (Designated Types) Order (Northern Ireland) Order 2024, (SR 2024 No. 133) and has no objection to the rule.

12. Correspondence

The Committee considered correspondence dated 10 June 2024 from Alarivean Inc detailing a proposed solution to the Blue Green Algae issue at

Lough Neagh; and recalled it had agreed at last week's meeting to send any such correspondence to the Department.

Agreed: The Committee agreed to forward the correspondence to the Department for their consideration.

The Committee considered the Eighteenth Report of the Examiner of Statutory Rules dated 14th June 2024. There are no rules directly relating to this Committee.

Agreed: The Committee noted the Report.

The Committee considered the Nineteenth Report of the Examiner of Statutory Rules dated 18th June 2024. The Committee noted the report covers SR 2024/133 The Dangerous Dogs (Designated Types) Order (Northern Ireland) 2024, which is subject to negative resolution procedure. The ESR has not drawn special attention to this rule.

Agreed: The Committee noted the report.

The Committee considered further correspondence regarding an individual's complaint against the Department dated 16th June 2024. Previously Legal Services had reviewed all the correspondence and given written advice to the Committee.

The Committee noted that to conclude matters, the Clerk forwarded this additional correspondence to the legal adviser and spoke to her on the matter.

Agreed: The Committee noted the legal adviser advised the Clerk there is no new information in these documents which would warrant the Committee seeking an update to the previous legal advice.

Agreed: The Committee noted its sympathy with the individual's situation but that his remedy would be a legal one and there was nothing more that the Committee could do.

13. Draft Forward Work Programme

The Committee noted the draft Forward Work Programme - the next meeting, 27 June, will be at the Nautilus Centre in Kilkeel at 10.00am.

The Committee also noted meetings are planned for Tuesday 2 July in Room 29 at 9:30am and the last meeting of the session will be Monday 8 July in Room 30 at 10:00am.

Agreed: The Committee agreed the first meeting of the autumn session will be Thursday 12 September 2024, pending any urgent business.

14. Any Other Business

None

15. Date, Time and Place of next meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 27 June 2024, at 10.00 am at the Nautilus Centre, Kilkeel Harbour.

The Meeting adjourned at 11.34 pm

Signature:

Tom Elliott, Chairperson

Dated