



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

12 September 2024

Room 21, Parliament Buildings

Present: Tom Elliott MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
William Irwin MLA
Patsy McGlone MLA
Michelle McIlveen MLA
Áine Murphy MLA

Present by Video or Teleconference:

None

Apologies: Nicola Brogan MLA
Tom Buchanan MLA

In Attendance: Dr Janice Thompson, Assembly Clerk
Mrs Gillian Barker, Assistant Assembly Clerk
Mr Michael Greer, Clerical Supervisor
Mr Damien Brown, Clerical Officer
Ms Sarah Preece, Clerical Officer

The Meeting Opened in Public Session at 10.02 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.

1. Apologies

Nicola Brogan MLA
Tom Buchanan MLA

2. Chairperson's Business

The Chair advised the Committee he would be leaving the meeting early today to attend a family funeral, the Deputy Chair would be stepping in for the rest of the meeting.

The Chair advised the Committee that the date of 'Effective Questioning' training, as part of the Parliamentary Excellence Programme, had been organised for 10th October 2024. This has been moved to 3 October due to unavailability of trainer on that date.

Agreed: The Committee agreed 3 October will be added to the Forward Work Programme.

The Chair advised the Committee of correspondence, dated 31 May, from Erne Anglers Angling Club regarding funding for two Fishing competitions – the Erne Pike Classic, and The Fermanagh Classic. The Committee noted the Chair has approached the Department as an individual MLA regarding support funding for these fishing competitions.

Agreed: The Committee agreed to write to the Department to highlight the minimal cost, the local economic and tourism benefits of these events and to propose that funding should be provided for these fishing competitions.

Agreed: The Chair agreed to forward to the Clerk his letter to the Department for information.

The Chair advised the Committee that the 2024 Northern Ireland International Ploughing Championships will be taking place on 27 & 28 September, in Gilford Co Armagh.

Agreed: The Committee noted the Championships and if possible would attend on an individual basis.

The Chair advised the Committee of the 'Older People's Parliament' taking place on 12 October in Parliament Buildings and how Engagement is working to involve Committees. The Committee noted a survey was issued by Engagement over the summer recess to help shape the day.

Agreed: The Committee will be kept up to date on the 'Older People's Parliament'.

The Chair advised the Committee he has received an invitation to attend the Northern Ireland Food & Drink 28th Annual Dinner, being held in Hilton Hotel, Belfast on 3rd October. Unfortunately, the Chair and Deputy Chair are unable to attend.

Agreed: The Committee agreed to contact the organisers to see if another Member of the Committee could attend instead.

The Chair advised the Committee he has received an invitation from Steven Agnew of RenewableNI to attend an off shore wind industry event 'The Clean Revolution', being hosted by Danny Donnelly MLA on 25 September in the Long Gallery from 12.00 to 3.00 pm.

Agreed: Members noted and will add the event to their diaries.

The Chair advised the Committee of a press release, dated 8 August, on Bluetongue virus DAERA which issued a warning to farmers across Northern Ireland about the devastating impact Bluetongue (BTV) could have on the local agri-food sector. It urged all farmers to exercise vigilance and to source animals responsibly.

Agreed: The Committee noted the press release and that the Committee will be briefed by the Department on this matter on 26 September.

Agreed: The Committee agreed to write to the Department to determine if they have information to indicate that animals have been sourced irresponsibly.

3. Minutes

Minutes of the 8 July 2024 were signed and agreed to be published.

4. Matters Arising

The Committee considered the response from the Department, dated 5 July 2024, in reply to its letter of 30 May requesting further information on whether the Green Investment Bank / Group (GIG) has been involved in funding for the Proposed SBRI Phase 2 use of Livestock Slurry (SULS).

The Committee noted the GIG has not been involved in providing funding for this project. However, that a meeting had been arranged between DAERA Officials and the GIG on 10 July.

Agreed: The Committee agreed to write to the Department to ask for an update on the meeting of 10 July.

The Committee considered response from the Department, dated 9 July, in reply to its letter of 14 June, regarding a proposed solution from Hennessy Ward for Lough Neagh; and noted that a Small Business Research Initiative (SBRI) has

launched over the summer for industry led trials to develop and demonstrate proof of concept.

Agreed: The Committee noted the Department will be in contact with Hennessy-Ward following the launch of SBRI.

The Committee considered the response from the Department, dated 9 July, in reply to its letter of 2 July, regarding its view on the Commissioner for Older People in Northern Ireland Report. The report has been welcomed by the Department who recognise older people can face barriers in rural areas and that the Department continues to deliver initiatives through TRPSI; Project Stratum; and PEACEPLUS.

Agreed: The Committee noted they will be addressing 'Rural Affairs and Rural Needs Action' as part of its Forward Work Plan.

The Committee considered the response from the Department, dated 11 July, in reply to its letter of 28 June regarding submissions the Department made to the UK Wide Consultation regarding 'UK Policy Framework on Managing Radioactive Substances and Nuclear Decommissioning'.

Agreed: The Committee noted the Department made no submission to the UK Wide Consultation regarding this policy as it had been involved in formulating the policy.

The Committee considered the response from the Department dated 11 July, in reply to its letter of 3 July, regarding concerns the fishing industry reflected during an oral briefing at its meeting in Kilkeel on 27 June. The Department stated it is fully aware of the issues and the Minister has requested a meeting with the Home Office to discuss the issue of crews for fishing vessels.

The Committee noted the Migration Advisory Committee (MAC) published a review on seasonal workers on 16 July.

Agreed: The Committee agreed to write to the Department to ask if the meeting with the Home Office has taken place and to provide an update on this matter.

Agreed: The Committee agreed to write to the Department for its views on the MAC 'Review of the Seasonal Worker Visa', regarding the impact these recommendations may have for the Fishing Industry and the Mushroom Growers in Northern Ireland.

The Committee considered the response from the Department, dated 11 July, in reply to its letter of 3 July, regarding correspondence received on the challenges facing the NI Mushroom Growers' Associations (NIMGA) and their request to extend Farm Sustainability Payment to the mushroom farms.

The Minister highlighted that a new Pilot Horticulture Scheme is currently being developed and aims to launch towards the end of 2024. The scheme will have a bespoke range of support measures, tailored for the specific needs of this sector.

Agreed: The Committee agreed to request a further briefing from the Department once the pilot Horticulture Programme and Capital Investment Measures have been developed.

The Committee considered the response from the Department, dated 16 July, in reply to its letter of 3 July, regarding challenges facing Northern Ireland Mushroom Producers Organisation and specific concerns on the potential ending of the Fruit and Vegetable Aid Scheme 2025 (FVAS).

The Committee noted the FVAS will not automatically come to an end in Northern Ireland after December 2025 and that the Minister has made no decisions yet on the future of the FVAS here, pending conclusion of the current policy review.

The Committee noted it was already aware that the Minister is seeking primary powers to allow DAERA to modify this legacy scheme.

Agreed: The Committee agreed to have a further briefing from the Department.

The Committee noted the Migration Advisory Committee [MAC] published its report 'Review of the Seasonal Worker Visa' on 16 July and noted that MAC's recommendations to the Home Office are under five themes:

- Provide certainty around the future of the scheme;
- Allow for a more flexible visa;

- Fairer work and pay for workers;
- Tighten, communicate and enforce employee rights; and
- Give consideration to the Employer Pays Principle.

Agreed: The Committee agreed to request timeframe on these recommendations and to be kept updated.

The Committee considered a response from Daniel McAteer, dated 17 July, regarding the Department's Mobuoy Remediation Cost Estimations and noted Mr McAteer is asking the Committee to press for clarity on the weighting and suitability of the various options appraised.

Agreed: The Committee agreed to write to the Department again to press for answers on the questions raised in this correspondence, in terms of the figures used when assessing the weighting and suitability of the various options being appraised.

The Committee considered the response from the Department, dated 2 August, in reply to our letter of 17 May, regarding the Northern Ireland Fish Producers Organisation [NIFPO] proposal to treat blue green algae in Lough Neagh – that it will be considered as part of the Small Business Research Initiative that aims to identify viable technical solutions.

Agreed: The Committee noted the response.

The Committee considered the response from Minister Muir, dated 2 August, in reply to our letter of 9 July, regarding the Windsor Framework (Implementation) Regulations – Secretary of State Exercise of his discretion in direction and control. The Committee noted the Minister has met with the Defra Secretary of State and will be meeting with the Northern Ireland Secretary of State at the earliest opportunity.

Agreed: The Committee agreed to write to the Northern Ireland Office and the Department to request an update on this matter – to clarify which matters are under DAERA's control and which matters are under Defra's control.

The Committee considered the response from the Department, dated 2 August, in reply to our letter of 9 July, regarding the Northern Ireland Audit Office Report - Public Bodies' Response to Misrepresented Soil Analysis.

The Committee noted that the NIEA has promptly put in place a suite of control measures and communicated with all relevant stakeholders.

The Committee noted comments from the Department that, *'as the report may be considered by the Assembly's Public Accounts Committee, it is accepted practice that departments do not comment on report findings and recommendations until the Public Accounts Committee has been able to consider the report and determine the next steps it wishes to take'*.

Agreed: The Committee agreed to write to the Department regarding details on who are the stakeholders and what measures have been put in place.

The Committee noted an update from the Department, dated 5 August, regarding 'Ban on Sale and Supply of single Use Vapes in Northern Ireland'.

This will require subordinate legislation, in accordance with Article 32(3) of the Waste and Contaminated Land (Northern Ireland) Order 1997, to implement a ban in Northern Ireland.

Agreed: The Committee noted the Department intends to publish a notice in the Belfast Gazette indicating the effect of the regulations and will consider any representations which are made in accordance with the notice.

The Committee noted an update from the Department, dated 20 August, in response to its letter of 10 June, regarding the Movement of Pet Birds into a Member State from a Territory or a Third Country. This matter is within the Windsor Framework (Implementation) Regulations 2024 and is currently under the direction and control of the Defra Secretary of State. The Committee noted that pet bird(s) must enter the EU, or NI, via a Traveller's Point of Entry (TPE) and must be presented to officials at time of entry for documentary and identity checks.

Agreed: The Committee noted the response.

The Committee noted response from the Minister, dated 22 August, to its letter of 1 July, regarding NIEA Planning Delays for Renewable Developments.

The Minister has allocated further resources to NIEA 2024/25 budget for the recruitment of additional planning staff to form a dedicated green growth, climate change and renewable planning workstream.

The Committee noted the Minister's response recognising it will take time to recruit and upskill staff and his hope that these measures will result in enhanced response rates.

Agreed: The Committee noted the response.

Mr William Irwin MLA joined the meeting at 10.25 am.

The Sheep Taskforce joined the meeting at 10.26 am.

5. Oral Briefing – The Sheep Taskforce.

The Committee noted the following briefing papers:

- A vision for the development of the Northern Ireland sheep industry;
- A vision for stimulus packages to support the development of the Northern Ireland sheep industry; and
- A report by the National Sheep Association – UK Sheep Farming and the Sustainable Agenda.

The Chair welcomed the following:

- Kellie Rouse – Ulster Farmers' Union, Beef and Lamb and Hill Farming Policy Officer;
- Glenn Cudd – Ulster Farmers' Union, Deputy President;
- Campbell Tweed – Sheep Farmer / National Sheep Association; and
- Sean Fitzpatrick – Northern Ireland Agriculture Producers Association.

The Sheep Taskforce briefed the Committee on its evidence based report outlining a vision of how agriculture policy could ensure there is a viable and sustainable

sheep industry and highlighted a proposed stimulus package to support the development of the sector.

There then followed a question and answer session.

Agreed: The Committee agreed to write to the Department to request an update on how these matters in developing the sheep industry are being taken forward and noted the Sheep Taskforce have a further meeting with the Minister on 3 October.

Agreed: The Sheep Taskforce agreed to forward to the Committee the report on carbon data collection, when available.

Mr Declan McAleer MLA left the meeting at 11.04 am

Mr Declan McAleer MLA re-joined the meeting at 11.12am

Mr Patsy McGlone MLA left the meeting at 11.09 am

Mr Patsy McGlone MLA re-joined the meeting at 11.12 am

The Sheep Taskforce members left the meeting at 11.10 am

6. Oral Briefing from the Department of Agriculture, Environment and Rural Affairs – Lough Neagh Action Plan.

The Committee noted the following briefing papers:

- Lough Neagh Report July 2024;
- Clerk's Memo dated 24 July 2024; and
- Briefing paper from the Department, dated 5 September

The Chair welcomed the following Officials to the meeting:

- Rory O'Boyle – Grade 6, Deputy Director Natural Environment Policy;
- Terence Patton – Grade 7, Head Water Policy Branch, Natural Environment Policy Division; and
- Dr Alastair Carson – Chief Scientific Advisor.

The Officials updated the Committee on the 2024 Lough Neagh Report and Action Plan, which includes four main action 'pillars' – Education; Investment; Regulation; and Enforcement. The Committee noted the 'Northern Ireland

Environmental Improvement Plan', which will run parallel to the Lough Neagh Action Plan, has yet to be approved by the Executive.

The Committee noted the Department has newly appointed a Project Management Head of a Lough Neagh Governance Team, who will be reporting on the action plan and tangible outcomes. Also, a Communication Plan is being devised for transparency and to be widely communicated to stakeholders and local residents.

There then followed a question and answer session.

The Chair thanked the Officials for their briefing.

The Departmental Officials left the meeting at 11.55am

Agreed: The Committee agreed to write to the Department to request information on a potential rescue package for the fishing industry that has been affected by the Blue Green Algae; and also, to ask if there will be any delay to the Lough Neagh Action Plan considering the Environmental Improvement Plan has not yet been approved by the Executive.

Agreed: The Committee agreed to write to the Department to request a briefing, as soon as is practicable, from the newly appointed Head of Lough Neagh Governance Team.

The meeting was suspended at 11.55 am

The meeting was reconvened at 12.09 pm

7.SR 2024/115 The Dangerous Dogs (Compensation and Exemption Schemes) Order (Northern Ireland) 2024

The Committee noted SR 2024/115 'The Dangerous Dogs (Compensation and Exemption Schemes) Order (Northern Ireland) 2024'; that this matter had been a challenge for the Committee, however public safety concerns had prevailed.

The Committee noted the Examiner of Statutory Rules has not drawn special attention to the Rule and there has been no changes to policy content since the SL1 was agreed on 8 July 2024. The Rule is subject to negative resolution procedure and came into operation on 9 August 2024.

Agreed: The Committee for Agriculture, Environment and Rural Affairs considered SR 2024/155 Dangerous Dogs (Compensation and Exemption Schemes) Order (Northern Ireland) 2024 and has no objection to the Rule.

8. SL1 The HOPS Certification (Amendment) Regulations (Northern Ireland) 2024.

The Committee noted the Department intends to make a Statutory Rule, The Hops Certification (Amendment) Regulations (Northern Ireland) 2024 and they received a written briefing on the background to this at its meeting on 13th June.

The Committee noted the SR would be laid before the Assembly under negative resolution procedure and is anticipated it will come into operation on 18 October 2024. The Committee noted the SL1 and Explanatory Memorandum.

Agreed: The Committee agreed to write to the Department to request an oral briefing regarding information on the extent of the divergence from the rest of the UK.

9. Departmental Written Briefing – DAERA Business Plan 2024/25

The Committee noted the written briefing from the Department regarding ‘DAERA Business Plan 2024-25’, also that they will be receiving an oral briefing from the Department regarding the budget on 3 October.

Agreed: The Committee agreed to request an oral briefing from the Department on the Business Plan 2024-25, specifically how it links to the ‘draft Programme for Government’ and any budget implications.

10. Correspondence

The Committee considered correspondence, dated 4 July 2024, from the Clerk to the Committee for Finance regarding the Financial Provisions Bill. The Bill will legislate on behalf of seven departments and provide 17 new legislative provisions.

The Committee noted only one is specific to DAERA – the ‘Marine Licensing Amendments’ to provide DAERA with greater powers to charge fees for aspects of the Marine Licensing process.

On this matter, the Committee also noted correspondence from the Department’s Marine and Fisheries Division, dated 9 July, regarding proposals to revise marine licensing fees; and that the consultation period ended on 3 September.

The Committee noted it had received a written briefing on this matter on 20 June and will be briefed at the relevant stages of the Financial Provisions Bill.

Agreed: The Committee agreed to request a briefing on the consultation responses and the relevant stages of the Financial Provisions Bill, in due course.

The Committee noted the Northern Ireland Forest Service Annual Report and Accounts 2023/24 laid in the Business Office on 5 July.

Agreed: The Committee was content to note.

The Committee noted Agri-food and Biosciences (AFBI) Annual Report and Accounts 2023/2024 laid in the Business Office on 8 July.

Agreed: The Committee was content to note.

The Committee noted Northern Ireland Environment Agency Annual Reports and Account 2023/2024 laid in the Business Office on 8 July.

Agreed: The Committee was content to note.

The Committee noted the Livestock and Meat Commission Annual Report and Accounts for 2022/23 and 2023/34 laid in the Business Office on 9 July.

Agreed: The Committee was content to note.

The Committee noted the publication of the Inland Fisheries Annual Reports 2022 and 2023, laid in the Business Office on 17 July.

Agreed: The Committee was content to note.

The Committee considered correspondence, dated 2 August, regarding Annual Reports and Accounts 2023/24 for the Agriculture and Horticulture Development Board (AHDB), laid in the Business Office on 2 August.

Agreed: The Committee was content to note.

The Committee considered correspondence, dated 9 July, from the Marine Fisheries Division regarding proposals to revise marine licensing fees. The consultation on this matter ended on 3 September.

Agreed: The Committee agreed to note and request from the Department an update on the consultation.

The Committee considered correspondence from the Department, dated 22 July, regarding the planned Dilapidation Bill. A policy consultation was undertaken in 2016 and a copy of a synopsis of responses was provided to the Committee. The aim of the Bill will be to consolidate and amend much of the existing Victorian legislation, and supplement it with new provisions in respect of low-level dilapidation and dangerous buildings. The Committee noted that the previous AERA Committee indicated support for such a Bill in January 2017.

Agreed: The Committee agreed to receive a briefing on the draft Bill in due course.

The Committee considered correspondence from the Department, dated 11 July, regarding a 'Review of list of Bodies and Persons set out in the schedule to the Rural Needs Act (NI) 2016.

The Committee noted that the Act requires DAERA to review the list at least every three years and it has the power to add/remove a body or person to/from the Schedule; or modify any entry.

A consultation has been undertaken for the past eight weeks and ends 13 September.

Agreed: The Committee noted the Department will prepare a written brief on the results of the public consultation and share with the Committee in late 2024.

The Committee considered correspondence, dated 15 July, from Friends of the Earth requesting papers from its meeting of 13 June – NIEA Update of Ammonia Planning and Consultations (dated 6 June); and the Departmental response to the Committee dated 29 March regarding the Ammonia Strategy.

Agreed: The Committee noted this request was referred to the Department and actioned by Officials.

The Committee considered correspondence from the Ulster Farmer's Union (UFU), dated 22 July 2024, inviting the Committee to the UFU Women in Agriculture Innovation Day, 17th October.

Agreed: The Committee noted they will be at Mount Stewart (National Trust) on that date and agreed to write to the UFU to decline the invitation and hope to attend next year.

The Committee considered correspondence, dated 2 August, from the Assembly's Engagement Office regarding a visit from a farming delegation from the Kwahu South Municipality of the Republic of Ghana, led by the Chief Executive/Mayor of the Municipality, on Monday 30th September.

Agreed: The Committee noted the visit and those who are free will meet with the delegation.

The Committee considered an invitation from Landscapes NI, regarding an event in the Long Gallery on Wednesday 23 October linked to the International Day of Landscapes on 20 October and the NI Environment Link "Environment Week", which this year is focused on landscapes.

Agreed: The Committee noted the event for their diaries and will be reminded nearer the time.

Agreed: The Committee noted Landscapes NI have offered the Committee a meeting and site visit and agreed to add this to its potential list of external visits.

The Committee considered correspondence, dated 2 August, regarding an invitation received during recess from The Northern Ireland Human Rights Commission and Equality Commission to the launch of their Annual Report on Implementation of Article 2 of the Windsor Framework, on Thursday 12 September at Ulster University Belfast Campus.

Agreed: The Committee noted the invitation which had already been sent to Members, however, was at the same time as the Committee meeting.

The Committee considered correspondence, dated 2 August, from the Department regarding 'Distribution of the Residual Milk Marketing Board Legacy Assets'; regarding a consultation on this matter commencing 12 August for 8 weeks.

Agreed: The Committee agreed to write to the Department for an update once the consultation period has ended.

The Committee considered correspondence, dated 2 August, from the Grassroots Mountain-bike Trails Organisation on recreational use of DAERA forests for natural mountain-bike trails. The Committee noted the Minister is unable to meet with the organisation while they are engaging with Councils on processes to extend cycle provisions which may also be in partnership with Forest Services.

Agreed: The Committee agreed to write to the Minister to seek his position on this matter and for further information.

The Committee considered correspondence, dated 8 August, from the NI Fiscal Council regarding the publishing of a supplementary note to its assessment on

the NI Executive's 2024-25 Budget. The note provides further detail on the change in the accounting treatment for leases.

Agreed: The Committee was content to note.

The Committee considered correspondence received on 26 July from Competitions and Markets Authority's (CMA) regarding an update on 'Cost of Living Work'. The report covers Road Fuel, Groceries and Infant Formula. The CMA will be publishing an interim report in October setting out in full the concerns and provisional recommendations.

Agreed: The Committee was content to note.

The Committee considered correspondence received from the Office of the Northern Ireland Executive in Brussels, regarding its Report for April – June 2024, which is the Spring 2024 edition. The Committee noted its specific areas of interest within the report.

Agreed: The Committee was content to note the report.

The Committee considered correspondence, dated 22nd August, from the Department advising the Committee of a technical consultation concerning Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) fees and charges.

Agreed: The Committee was content to note.

The Committee considered a consultation on draft legislation and a draft code of practice for Materials Facilities sites (MFs) in Northern Ireland. The Department is intending to launch a consultation on amending legislation and the introduction of a Code of Practice for MFs in Northern Ireland.

The introduction of MFs sampling for NI was consulted upon in 2021 as part of a UK wide consultation on Extended Producer Responsibility for Packaging. This planned consultation is on the technical detail of the sampling.

Agreed: The Committee was content to note.

The Committee noted the Executive Summary of the OEP Review of implementation of the Water Framework Directive Regulations and River Basin Management Planning in Northern Ireland. The full document was circulated to the Committee on 3rd September.

Agreed: The Committee agreed to receive an informal briefing from the OEP.

The Committee noted the 21st Report from the Examiner of Statutory Rules. This report was discussed this earlier at SR 2024/155. She has not drawn special attention to the Rule.

Agreed: The Committee was content to note.

11. Draft Forward Work Programme

The Committee noted the draft autumn Forward Work Programme (FWP) and it will be meeting at Clondeboy Estate next week.

Agreed: The Committee agreed the draft Forward Work Programme.

12. Any Other Business

None

13. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 19 September, at 10.00 am in The James Frazer Room, Clondeboy Estate, Bangor.**

The Meeting adjourned at 12.29 pm

Signature:

Tom Elliott, Chairperson

Dated