



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

12 December 2024

Parliament Buildings, Room 21

Present: Robbie Butler MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
Tom Buchanan MLA
William Irwin MLA
Michelle McIlveen MLA

Present by Video or Teleconference:

Nicola Brogan MLA
Áine Murphy MLA

Apologies: Patsy McGlone MLA

In Attendance: Dr Janice Thompson, Assembly Clerk
Mrs Gillian Barker, Assistant Assembly Clerk
Mr Nick Faulkner, Assistant Assembly Clerk
Mr Michael Greer, Clerical Supervisor

The Meeting Opened in Public Session at 10.04 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

Patsy McGlone MLA

2. Chairperson's Business

The Chair advised he had received correspondence, dated 5 December, from the Peace Guardians, Peace Summit Partnership regarding a 'Call to Action for Peace'. The Chair had recently spoken at an event held by the Peace Summit Partners; they are now requesting a meeting with the Committee to discuss their work and campaign regarding an Inclusive Peace Plan.

Central to their work is integrating peace across all government policies and decision-making and they believe that this Committee has a role to play in helping to achieve this.

Agreed: The Committee noted the role of Peace Summit Partnership and agreed to add to the forward Work Programme.

The Chair highlighted the Minister's Statement of 9 December regarding Net Northern Ireland Emissions Account for the Year 2030', which was circulated to the Members.

Agreed: The Committee noted the Statement.

3. Minutes

Minutes of the 5th December 2024 were agreed and signed by the Deputy Chair to be published.

Agreed: The minutes were agreed.

The Committee noted a minor factual correction was made to the minutes of 7 November Agenda Item 6, SI The Greenhouse Gas Emissions Trading Scheme (Amendment) (No.2) Order 2024; it now refers correctly to the Oral Briefing being from the Department's Climate Change, Science & Innovation Group, rather than from the NIEA.

Agreed: The Committee noted the amendment.

4. Matters Arising

The Committee considered the response from the Department, in reply to its letter of 15 November, regarding NICS Recruitment and Vacancies within DAERA, concerns on the impact of vacancy levels on the work of the Department and also on the main difficulties associated with filling vacancies.

The response stated that recruitment is centralised within Department of Finance, and DAERA officials work with DoF's NICS HR team. However, the Department is concerned that its vacancy rate has increased to over 700 registered vacancies. This figure includes Windsor Framework related vacancies which cut across the ministerial responsibilities of both Minister Muir and the Defra Secretary of State reflecting the Windsor Framework (Implementation) Regulations 2024.

The response also highlighted the skill shortages in several disciplines including Veterinary and Forestry and Inspector Group 1 grades.

In regard to concerns on the impact of vacancies to developing and implementing the new Rural Policy and TRPSI work, the Minister confirmed that he remains focused on work to develop a new rural policy and looks forward to further engagement with the Committee as it moves forward.

Agreed: The Committee noted the response.

The Committee considered the response from the Department, dated 5 December, in reply to its letter of 25 November, regarding 'Update on Progress of the Recommendations of Breaking the Grass Ceiling Report' published in 2022. The response stated that the Minister recently reviewed the actions being progressed by the Department, which are set out in the Annex of the response.

The Committee noted that the Minister confirmed it is planned that this will be discussed at a future Agriculture Policy Stakeholders Group meeting and also that the Department are acting on the reports' recommendations.

Agreed: The Committee noted the response and agreed to come back to this matter for further consideration at a later date.

The Committee considered the response from the Department, dated 5 December, in reply to its letter of 20 November regarding the report: Drinking Water Quality in Northern Ireland 2023 and the status of the investigation into Drinking Water Quality Event at Moyola Water Treatment Works (WTW) that occurred September / October 2023.

The response stated that there was a high level of consumer contacts regarding the taste and odour of the mains water supply from Moyola WTW. There were also contraventions of the taste and odour parameters at that time.

The Committee noted the investigation has now concluded, however, the Drinking Water Inspectorate continue to monitor and assess the matter.

Agreed: The Committee noted the response.

The Committee considered the briefing note from the Ulster Angling Federation following up on its presentation to the Committee on 7 November.

The Committee noted the Federation is calling for stronger backing and a strategic vision from DAERA to ensure the sustainability and growth of angling for the benefit of all.

Agreed: The Committee agreed to forward the correspondence to the Department for its comments.

Agreed: The Committee agreed to write to the Department asking it to reiterate the rationale of the standing down such community outreach angling programmes that are positive for health and well-being.

The Committee considered correspondence, dated 5 December, from the Department regarding the Distribution of the Residual Milk Marketing Board Legacy Assets. This was first considered at its meeting of 12 September when the letter received highlighted that the possible options were - the Dairy Council for Northern Ireland (money to be used for generic promotional activities), or Agri-Search NI (money to be used for research projects connected directly with the dairy industry).

The consultation closed on 08 October and had four responses and following analysis by officials, and with the Minister's approval, it has been decided that the money will be released to the Dairy Council for Northern Ireland.

Agreed: The Committee noted the correspondence.

The Committee considered the Clerk's response letter, dated 6 December, to Mr William Taylor, Farmers for Action; and a subsequent email from Mr Taylor dated 6 December, requesting his email is put to the Committee.

The Committee noted that it had requested that FFA provide the information it had referred to stating that its legal advice differed from the Minister's regarding the proposals in the Farm Welfare Bill. The Clerk wrote to Mr Taylor summarising the Committee's work so far and highlighting that we were still awaiting a response from Defra and the legal advice referred to by FFA.

Agreed: The Committee noted the Farmers for Action response to the Clerk's letter and will return to this matter in the New Year as it is still awaiting Defra response and the legal advice referred to by the FFA.

Agreed: The Committee agreed to reiterate their current position on this matter to the FFA.

The Committee considered the Department's response, dated 10 December, regarding the NIEA Business Plan 2024/25 and why agricultural planning applications are returned for further information.

The response states that planning applications can cut across several divisions within the Department, each with their own distinct criteria to assess but often using the same information to make that assessment.

Where concerns are raised or information is missing or not clear, clarification is required to enable a substantive response. An example given was the cross checking required to confirm the detail in a Nutrient Management Plan aligns with that in an Air Quality Impact Assessment regarding coordinates of slurry application.

Agreed: The Committee agreed to write to the Department to enquire if regarding the number of planning applications returned has thought been given to if there is sufficient information given initially to applicants, to prevent these chains of communication from being needed.

Departmental Officials joined the meeting at 10.19am

5. Oral Departmental Briefing – January Monitoring

This item of the Agenda was recorded by Hansard

The Committee noted the following papers for the meeting:

- Departmental briefing for the AERA Committee regarding the 2024-25 January Monitoring Round.

The Committee noted that the paper sets out the outcome of DAERA's internal consideration of the January Monitoring Round and provides details of the returns due to DoF in two stages by 6 December and 3 January.

The Committee also noted the January Monitoring Round is the last opportunity in the financial year to set the budget and it is this position that the Provisional Outturn is reported against. The final budget also sets the Spring Supplementary Estimate position, which under the Budget Act, provides the legal authority to spend and this is the position against which the Annual Accounts are reported.

The following Departmental Officials joined the meeting:

- Roger Downey – Finance Director;
- Richard McAuley – Deputy Finance Director; and

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

The Committee raised concerns regarding 2025/2026 Just Transition funding and the impact of the 700 registered vacancies within the Department. The Committee noted there would be no further Barnett consequentialists this year and regarding Climate Change funding, the allocation of funds will not be known until the 2025/2026 budget is finalised.

Agreed: The Committee noted that the Officials will return to the Committee for a further briefing in the New Year.

The Departmental Officials left the meeting at 10.32 am

6. Oral Departmental Briefing – Agriculture Bill

This item of the Agenda was recorded by Hansard

The Committee considered the following papers:

- Letter from the Minister dated 7 November, regarding the Introduction of the Bill;
- Letter from the DALO Delegated Powers Memorandum – Agriculture Bill;
- The Agriculture Bill;
- Explanatory and Financial Memorandum; and
- Hansard of DAERA Oral Briefing to Committee on 20th June

The Committee noted that this was the first evidence session in the Committee Stage of this Bill– a briefing from the Department on the content of the Bill and that at the first meeting back after recess they will be briefed by RalSe on its Bill Research paper, currently being drafted.

The Committee noted that the Fruit and Veg Aid Scheme (FVAS) is now a devolved scheme, and Northern Ireland is free to consider what support best suits the needs of our horticulture sector.

The Departmental Officials joined the meeting at 10:34am

The following Officials briefed the Committee:

- John Terrington – Head of Agri-Food Legislation Branch; and
- Elaine McCorry – Head of Supply Chain Transition Team.

There then followed a question and answer session.

The Committee raised a number of initial queries:

- the title of ‘Agriculture Bill’ being broad as the Bill itself has a narrow focus on the FVAS and the information and promotion schemes. The Officials referred Members to the long title detailing the specifics of the Bill.
- The breadth of the powers in relation to Clause 4, the Committee were given assurances that any Regulations would be subject to draft affirmative resolution.
- Consideration of Environmental measures - there may be an opportunity with the Bill to increase the environmental emphasis of the FVAS.
- The concerns of the Mushroom sector and if any assurances have been given to them? The Committee were advised that there has been regular engagement with the sector and that the Minister values its importance.
- In terms of sectoral coverage, the Committee were informed that currently the Mushroom sector is the main one involved in the POs as the model may not suit other growers. The governance of the POs, compliance rules and allocation of funding were also discussed.

Agreed: The Committee agreed that they delegate responsibility for the scrutiny of the delegated (secondary) legislation to the Examiner of Statutory Rules and forward to her the Delegated Powers Memorandum.

The Departmental Officials left the meeting at 11.13 am

7. Agriculture Bill – Plan for Committee Stage

The Committee considered a draft list of potential stakeholders to invite to give oral evidence regarding the Agriculture Bill.

Agreed: The Committee agreed the stakeholder list with the addition of Northern Ireland Environmental Link (NIEL).

The Committee considered an extension for the Committee Stage, which as it stood would be due to end 4 February 2025. The Committee agreed that, *in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) in relation to the Committee Stage of NIA Bill 08/22-27 is extended to 23 May 2025*.

Agreed: The Committee agreed to lay the motion in the Business Office to request extension of the Committee Stage to 23 May 2025.

The Committee considered a proposed list of questions for the Committee's Citizen Space Call for Evidence.

Agreed: The Committee agreed the list of questions and that it will launch week beginning 6 January and run for 4 weeks.

Michelle McIlveen left the meeting at 11.39am

The Committee reconvened at 11.39am

8. SI - The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2025.

The Committee considered the following paper:

- SI The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2025 and the Accompanying Explanatory Memorandum

The Committee noted that further to the letter dated 19 November 2024, which informed the Committee of the UK Emissions Trading Scheme (ETS) Authority's initial response to the Free Allocation Review consultation, Minister Muir has now given consent for the proposed amendments to be enacted through draft legislation amending the Greenhouse Gas Emissions Trading Scheme Order 2020, which provides the legislative basis for the UK ETS.

The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2025 introduces two technical changes, consistent with the commitments outlined in the initial Authority response, which specifically relate to the treatment and definition of stationary installations that permanently cease to undertake an activity regulated by the Scheme.

The SI was laid in the Assembly on 2 December under affirmative resolution procedure, accompanied by an Explanatory Memorandum. It is anticipated that the affirmative debate will be scheduled for mid-January 2025.

Agreed: The Committee noted that subject to the outcome of debates to be held in all UK legislatures, including the Northern Ireland Assembly, the SI will come into force on 1 March 2025.

9. SR 2024/204 The Marine Licensing (Application Fees) (Amendment) Regulations (Northern Ireland) 2024

The Committee noted the following paper from the Department, dated 4 December:

- SR 2024/204 The Marine Licensing (Application Fees) (Amendment) Regulations (Northern Ireland) 2024.

The Committee noted the SL1 was before the Committee on 28 November 2024 and is being made under negative resolution procedure. On the 28 November, the Officials briefed the Committee regarding the SL1, including that the Department consulted on the "Proposals to Revise Marine Licensing Fees" from 9th July to 3rd September and that the policy objective is to deliver a more efficient and equitable marine licensing system - based on the principle that users should pay for the service they receive.

Agreed: The Committee for Agriculture, Environment and Rural Affairs has considered SR 2024/204 The Marine Licensing (Application Fees) (Amendment) Regulations (Northern Ireland) 2024 and has no objection to the Rule, pending the Examiner of Statutory Rules Report.

10. Departmental Written Briefing – Update on policy development for a Fisheries Bill.

The purpose of this Departmental Written Briefing, dated 3 December, was to provide early sight of the development of the Fisheries Bill (a Bill to make provision in relation to fisheries, fishing and aquaculture in the marine and aquatic environment;

and for connected purposes) - a public consultation on the policy proposals is planned for March 2025.

The Department relies heavily on the Fisheries Act (Northern Ireland) 1966 as a key piece of primary legislation, which guides work in relation to fishing and fisheries and believes that, particularly in relation to inland fisheries and aquaculture, it is hindering the development of a modern fisheries management system.

The UK Fisheries Act 2020 provides for eight fisheries objectives; and the Joint Fisheries Statement sets the strategic policies which DAERA is required to pursue so as to achieve, or contribute to the achievement of, those objectives.

DAERA highlighted that the development of a new Bill will ensure, as a minimum, that aquaculture and inland fisheries are better managed and that the common enforcement powers available to the UK's other sea fisheries authorities are available to the Department in the same way.

The Committee noted the vision for the Bill is to provide the Department with the powers to ensure that fishing, fisheries and aquaculture are developed in alignment with the eight fisheries objectives in the UK Fisheries Act 2020.

Agreed: The Committee noted the written briefing but highlighted the following paragraph at Annex B:

Angling – to provide quality opportunities for angling, at sustainable levels, which deliver wider benefits, including for well-being and tourism in our natural environment;

The Committee noted that this paragraph contradicts the current situation where it seems the public outreach of angling is being wound down and that Officials would need to develop angling policies that fit with the above, before the Bill comes forward.

11. Correspondence.

The Committee considered correspondence, dated 5 December, regarding Publication of the Noise Complaint Statistics for Northern Ireland 2023-24 Report.

There were a total of 10,684 complaints received in 2023/24 down 5.8% compared to the previous year. Greatest number are in Belfast City District Council and fewest in Newry and Down District Council. The main types of noise are:

- Domestic – 76.20% and
- Commercial and Leisure – 12.03%

Agreed: The Committee agreed to note the correspondence.

The Committee considered correspondence from the Department, dated 3 December regarding Quarterly Sickness Absence in the NICS July to September 2024.

Agreed: The Committee agreed to note the correspondence.

The Committee considered correspondence received from Andrew Trimble, CO, Renewable Heat Association Ltd regarding two letters relating to the recalibration of the DfE NI RHI Rebate.

Letter 1 was regarding a meeting on 9 December to discuss the remedy to the DfE RHI rebate tariff. The meeting was at Environment and Renewable Energy Centre, AFBI, Hillsborough. The correspondence includes information on the process and briefing.

Letter 2 was confirmation of meeting with DfE Officials and RHI Stakeholders on 9 December and information on implementing the remedy.

Agreed: The Committee agreed to note the correspondence.

The Committee considered a paper for consideration by the NI Executive received from Northern Ireland Mushroom Growers Association (NIMGA), proposing options for supporting mushroom growers.

It further highlights that the mushroom industry in Northern Ireland has been subject to a series of challenges over recent years, which has forced farmers make the case for support to ensure the survival of the industry.

These challenges include the loss of access to EU workers and increases to energy costs, which are more acute due to the proximity of mushroom farms to the border

as the Republic of Ireland has more generous government support and access to workers from the EU and further afield.

The paper proposes that input is required from both UK Government and the NI Executive:

1. Lobbying the UK Government for a bespoke visa enabling workers to stay for up to two years;
2. Ensuring Producer Organisations (POs) are given the same or better investment and support than counterparts in the Republic of Ireland.
3. Developing industry support grant schemes to improve productivity and energy efficiency.
4. Putting in place financial support for mushroom farmers to provide them a safety net to mitigate against external shocks such as weather and energy costs.

Agreed: The Committee agreed to note the report and that the Committee should do all it could to support the industry.

The Committee considered an Invitation from The Special EU Programmes Body (SEUPB), to a series of information events being run for regional bodies, umbrella groups, statutory agencies, elected representatives, and other stakeholders.

The SEUPB and Pobal are currently preparing to open two new PEACEPLUS grants schemes aimed at grassroots communities.

The Change Makers Funds are due to open for applications in January 2025, and will distribute €40 Million over the next three years to support people to people projects on a cross community and/ or cross-border basis.

Agreed: The Committee agreed to note the invitation.

The Committee considered a Clerk's Memo from the Clerk to the Committee for Communities, dated 4 December 2024.

The memo provided an update on the briefing that the Committee received on 28 November on the ongoing work regarding the draft Anti-Poverty Strategy. The main areas of discussion were highlighted in the memo.

That Committee agreed that a letter was sent to all departments to ask that any work attributed to each Department in the Anti-Poverty Strategy be expedited to ensure there are no delays in the publication of the strategy.

Agreed: The Committee agreed to note the memo.

14. 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 16 January at 10.00am at Parliament Buildings, in Room 21.**

The Meeting adjourned at 11.51am

Signature:

Robbie Butler MLA, Chairperson

Dated