



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

14 November 2024

Parliament Buildings, Room 21

Present: Robbie Butler MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
Nicola Brogan MLA
Michelle McIlveen MLA
Áine Murphy MLA

Present by Video or Teleconference:

Tom Buchanan MLA
William Irwin MLA

Apologies:

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 10.05 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 that he had received notice from the Minister, dated 7 November, that in accordance with Standing Order 18 he intended to make an oral statement on 11 November to update the Assembly on progress with the commitments arising from the Climate Change Act (Northern Ireland) 2022, to coincide with the opening day of the 29th Conference of the Parties (COP29) in Azerbaijan.

Agreed: The Committee noted that the statement had been made.

The Chair advised that he had received a letter from the Minister, dated 12 November, regarding the 'Impact of Inheritance Tax changes in UK Budget'. Also included was an analysis paper 'DAERA assessment of the impact of the inheritance tax changes in UK Budget Statement of 30 October 2024 on the Agriculture Sector'. The paper had been placed in the Assembly Library.

Agreed: The Committee noted the paper.

3. Minutes

Minutes of the 7 November 2024 and concurrent meeting with the Infrastructure Committee of 12 November were agreed. The minutes of 7 November were signed by the Chair to be published. The concurrent minutes of 12 November once signed by the Chair for Infrastructure Committee and Chair for AERA will be published.

4. Matters Arising

The Committee considered the response from the Minister, dated 6 November, in reply to our letter of 25 October regarding Fair Pricing – Food Supply Chain in connection with the proposed Farm Welfare Bill (FWB) from Farmers from Action FFA.

The response stated that the Minister met with FFA on 11 September 2024 to discuss the FWB and other issues.

The response also clearly outlined the Minister's position that he could not support any section of the proposed bill due to it being incompatible with a market economy and because the bill would cause legal difficulties.

The Committee noted that the Minister outlined flaws with the approach, regarding 70% of NI's agriculture produce being sold outside of NI and that suppliers of feed, fertiliser and other inputs could then inflate prices knowing that the Government would recalculate the cost of production and raise minimum prices accordingly.

In conclusion, the Minister's response stated that legislation on minimum pricing is unfeasible and would be damaging to the interests of the NI Agri-Food Sector.

The Minister concluded that he wants to see farmers receive an adequate return for their work and as part of that 'supply chain schemes' are being developed for NI agriculture and horticulture sectors within the Farm Support and Development Programme, subject to budget availability.

Agreed: The Committee noted the 'supply chain schemes' and also that it was waiting to get its response from Defra to continue its consideration of the matter.

The Committee considered the response from the Minister, dated 6 November, in reply to our letter of 25 October regarding Seasonal Agricultural Workers Visa Review. This was a substantial response outlining the background of the matter and included proposed solutions that the Minister had forwarded to Defra Secretary of State. Minister Muir received a response from the Defra Secretary of

State on 29th October 2024, in which he rejected the policy changes Minister Muir had suggested for consideration – these included:

- Two year occupations specific bespoke visa route for the mushroom harvesting sector;
- DAERA analysts suggests that the £26,200 threshold was working well in NI for the skilled worker visa route and the Minister had asked that consideration be given to reverting to this threshold. Rather than the increase in the minimum salary threshold for this visa route from £26,200 to £38,700;
- The Minister proposed that the salary threshold of £23,200 for the Health and Care sector should apply to the fishing sector as there are concerns fishing businesses in NI will not be able to meet the new minimum salary threshold of £30,960.

The Committee noted Minister Muir's disappointment in the Defra response but that he will continue discussions on these matters with the Defra Secretary of State, including at the Inter-Ministerial Group, to see if solutions can be found.

Professor Brian Bell, the Migration Advisory Committee Chair, is willing to meet the AERA Committee virtually to discuss the recommendations contained within the review of the Seasonal Workers Visa.

Agreed: The Committee agreed to write to the Committee for the Executive Office expressing their disappointment that the Defra Secretary of State has rejected the policy changes suggested by Minister Muir, and if this should now be an Executive-led matter.

Agreed: The Committee agreed to arrange a virtual meeting with Professor Brian Bell. The Chair also stated he would seek to meet with the effective groups, in due course, to bring him up to speed on this matter.

The Committee considered the response from the Department, dated 6 November, in reply to our letter of 25 October regarding clarity on the status of funding Maedi Visna (MV) checks and controls in Northern Ireland.

The Committee noted the Department is considering the increased disease incidence and reviewing its approach to MV surveillance and testing and Officials have been engaging with stakeholders, most recently on 22 October, to discuss the outcome of an industry-led meeting. No decision has yet been taken regarding future steps.

Agreed: The Committee noted the Department's current approach and that no decision has yet been taken regarding future steps.

Agreed: The Committee agreed to forward this response to Sheep Taskforce and UFU.

The Committee considered the response from the Department, dated 5 November, in reply to its letter of 11 October regarding recruitment and vacancies within DAERA. The response outlines that the Department currently has 698 registered vacancies at month ending September 2024 and currently has 275 Agency Worker; and from March 2019 there has been an increase of 456 staff = 16%;

The Committee noted the 1,000 DfC jobs are part of the overall planned requirements considered by NICS HR in planning NICS recruitment.

The Committee noted that the Department is facing challenges with its level of vacancies and the Department allocates staff to priority work to meet its strategic objectives.

Agreed: The Committee agreed to write to the Department to inquire where the problem lies in filling vacancies and which grades are not being filled. Also, if unfilled vacancies are impacting on the progress of delivering strategies and policy, specifically TRPSI.

The Committee considered the substantial response from the Department, dated 5 November, in reply to its letter of 14 October regarding the Draft Programme for Government and DAERA's Business Plan 24/25. The Chair outlined in summary the response on the eight areas the Committee had queried.

Agreed: The Committee noted there is much more detail in the Department's response but were content to note at this stage.

The Committee considered the response from the Department dated 5 November, in reply to its letter of 11 October, regarding engagement between the Department and Healthy Air Northern Ireland.

The Committee noted the Department enjoys good relations with Healthy Air NI, particularly through Asthma + Lung UK (previously Asthma UK and British Lung Foundation) and has benefitted from significant engagement with them.

That and officials will be keen to engage further with HANI at that point.

Agreed: The Committee noted it is the Department's intention, as soon as resources permit, to bring forward for consultation on a new Clean Air Strategy.

The Committee considered the response from the Minister, dated 7 November, in reply to its letter of 25 October, regarding future supply of Veterinary medicines to Northern Ireland.

The Minister has received assurances that the UK Government are committed to safeguarding the availability of veterinary medicines in Northern Ireland beyond the end of the existing grace period in December 2025 and steps have been taken to address the overarching issues:

- The Veterinary Medicines Working Group has been re-established;
- The UK Government has actively engaged with industry members to understand the intentions of Marketing Authorisation Holders; and
- The Minister states that the UK Government engages regularly with the EU on all matters related to the Windsor Framework, including veterinary medicines.

Agreed: The Committee noted the response.

The Committee considered the response from the Minister, dated 8 November, in reply to its letter of 25 October, regarding public engagement in the design of the Forest Service Business Plan 2024/25.

The Forest Service highlighted that annual business plans take account of public participation and are contributed to by a broad range of stakeholders and the public following invitations to engage and share their views.

Agreed: The Committee noted after each consultation a ‘What the People Told Us’ document is published highlighting the diverse nature and issues that managing forests sustainability must seek to balance.

The Committee considered the response from the Minister dated 11 November, which was an update on the three DAERA-led Small Business Research Initiatives relating to Lough Neagh. These are:

- 1) Sustainable Utilisation of Livestock Slurry (SULS) – Phase 2;
- 2) Lough Neagh: Blue-Green Algae – Phase 1; and
- 3) Using Space-Based Technology to Monitor Algal Blooms – Phase 1.

The Committee noted the launch of the SULS Phase 2, and the Phase 1 on Blue-Green Algae, has delivered on Action 10 and Action 13 respectively of the Lough Neagh Report and Action Plan; and the launch of the SBRI on Using Space-Based Technology to Monitor Algal Blooms aligns with Action 2 of the Plan.

Agreed: The Committee noted the substantial update on each of these areas and the next steps.

The Committee considered the Oral Statement ‘Public Expenditure: 2024-25 October Monitoring from the Minister of Finance dated 11 November 2024.

The Committee noted that despite the additional funding provided through the Autumn Budget it still falls short of the pressures identified by DAERA and the Department was allocated £3.6 million Resources DEL.

Agreed: The Committee noted the response and that it is unlikely any significant further funding will be made available this year.

The Committee considered correspondence from the Minister dated 13 November, regarding the Northern Ireland Food Strategy Framework, which the Minister

intended to publish that day. The Committee noted they had received a written briefing in May 2024 on the background and the high level content of the Food Strategy Framework and that it will be the forthcoming Action Plan that provides more detail.

Agreed: The Committee noted the Officials will be collaborating with relevant stakeholders and counterparts in other Departments, that the draft Action Plan will be available in early 2025.

The Departmental Officials joined the meeting at 10.29 am

5. Oral Briefing from the Department – Rural Policy Unit Update on Delivery of Rural Policy.

The Committee considered the following paper - Briefing on Rural Policy Unit – Update on the Development of Rural Policy, dated 5 November.

The Committee wrote to DAERA on 27 September seeking an oral briefing from the Rural Policy Unit.

The Committee noted the UK's exit from the EU and the closure of the NI Rural Development Programme 2014-20 has created the opportunity for DAERA to consider the future of rural policy in Northern Ireland.

The following Officials briefed the Committee:

- Teresa O'Neill, Director of Rural Affairs
- Claire McAllister, Head of Rural Policy Unit
- John White, Head of Rural Affairs Delivery & Support Unit

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

The Committee noted that the new policy is at an early stage of development, that the Department will be engaging across all Departments and collaborating with stakeholders on the co-design of the policy, including SOLACE, rural groups and the voluntary sector.

The Committee raised concerns regarding the need to address limitations of parameters within the small settlement scheme of 30 miles; access to local services regarding the impact of COVID and hybrid working.

The Committee concluded the new Rural Needs Act should to be flexible to deal with ongoing changes over the next decade.

It also noted that the Department has commissioned an independent review on the Rural Needs Act 2016, to identify if it reached its objectives and lessons learnt, the report is due early next year.

John Blair MLA, left the meeting at 11.02 am

John Blair MLA, re-joined the meeting at 11.07 am

The Departmental Officials left the meeting at 11.13 am

The meeting was suspended at 11.13 am

The meeting reconvened at 11.26 am

6. Oral Briefing from the Department – Environmental Improvement Plan

The Committee noted the following papers:

- Briefing from the Department on the Environmental Improvement Plan, dated 5 November; and
- The Environmental Improvement Plan for Northern Ireland (EIP).

The Committee noted that the preparation and publication of the EIP is a statutory duty placed upon DAERA by Schedule 2 to the Environment Act 2021.

Executive approval for the draft EIP was obtained on 26 September 2024. The EIP was laid before the NI Assembly and published on 27 September 2024.

The Committee welcomed the Officials to the meeting:

- Mr. Shane Doris, Director of Environmental Resources Policy Division;
- Mr. Adrian McGurnaghan, Assistant Director Environmental, Governance Division
- Mr. Karl Beattie, Head of Environmental Principles and OEP Liaison Branch; and
- Mr. Alan Gibson, Head of EIP Implementation Branch

The Officials briefed Committee on the 6 Strategic Environmental Outcomes (SEO) in the EIP:

1. Excellent air, water, & land quality
2. Healthy & accessible environment & landscapes everyone can connect with & enjoy
3. Thriving, resilient & connected nature and wildlife
4. Sustainable production & consumption on land and at sea
5. Zero waste & highly developed circular economy
6. Net Zero greenhouse gas emissions & improved climate resilience and adaptability.

There then followed a question and answer session.

The Committee will wish to monitor the emerging issues from the Environmental Improvement Plan and how existing Action Plans will work alongside, for example the Lough Neagh Action Plan.

Agreed: The Committee agreed to contact the Department regarding further information on the barriers for off-shore development and additional information on biodiversity issues regarding the opportunity to align the actions and measures needed to address biodiversity and climate change simultaneously.

Áine Murphy MLA, left the meeting at 11.39 am

Áine Murphy MLA, re-joined the meeting at 12.01 pm

William Irwin MLA left the meeting at 11.40 am

The Departmental Officials left the meeting at 11.40 am

7. Proposed Introduction of the Agriculture Bill

The Committee noted the following papers:

- Letter from the Minister dated 7 November 'Introduction of the Agriculture Bill;
- The Agriculture Bill; and
- The Explanatory and Financial Memorandum.

The Committee noted the Minister has written to the Speaker proposing that the Bill be introduced to the Assembly on 25 November 2024.

The Chair reminded the Committee that the Minister first wrote in March on his intention to consult on such a Bill to amend the assimilated law governing the legacy EU Fruit and Vegetable Aid Scheme (FVAS) and to provide the scope for the Department to further amend the legislation that governs the FVAS and another legacy EU scheme, Agri-food Information and Promotions (promotions schemes).

Agreed: The Committee noted it will receive an oral briefing from Officials before the second stage and agreed to keep the documents in confidence until the Bill is introduced.

8. SL1 The Bovine Viral Diarrhoea Control Order (Northern Ireland) 2024

The Committee noted that Department intends to make two Statutory Rules (SRs), which will contribute to the eradication of Bovine Viral Diarrhoea (BVD) in Northern Ireland.

The Bovine Viral Diarrhoea Control Order (Northern Ireland) 2024 makes provision for the introduction of herd restrictions in Northern Ireland, as a disease control measure against BVD.

The Committee noted the SR will be laid before the Assembly under the negative resolution procedure and, subject to Executive approval, and it is anticipated that the SR will come into operation in early January 2025.

The Committee noted a copy of the Statutory Rule and the associated Explanatory Memorandum is in the briefing paper and that the SR is crosscutting with the Department of Justice; accordingly, Executive approval will be sought.

Agreed: The Committee raised some concerns regarding the SL1 and sought an oral briefing from the Officials.

9. SL1 The Bovine Viral Diarrhoea Education Scheme (Amendment) Order (Northern Ireland) 2024

The Committee considered SL1 The Bovine Viral Diarrhoea Education Scheme (Amendment) Order (Northern Ireland) 2024 to amend the existing BVD Eradication Scheme Order (NI) 2016, to require bovine animals born before March 2016 that do not have a BVD status, to be tested for BVD.

The Committee noted the SR will be laid before the Assembly under the negative resolution procedure and, subject to Executive approval, it is anticipated that it will come into operation in early January 2025.

The SR is crosscutting with the Department of Justice and the Department of Finance; accordingly, Executive approval will be sought.

Agreed: The Committee raised some concerns regarding the SL1 agreed to have an oral briefing on the SL1 'The Bovine Viral Diarrhoea Education Scheme (Amendment) Order (Northern Ireland) 2024'.

10. Departmental Written Briefing - Update on Results of the public consultation re the review of the list of bodies and persons set out in the Schedule to the Rural Needs Act (NI) 2024.

The Committee considered the following paper:

- Written briefing, dated 8 November, regarding Results of the public consultation re: the review of the list of bodies and persons set out in the Schedule to the Rural Needs Act (NI) 2024.

The Committee noted the update on 'Results of the Public Consultation re the Review of the List of Bodies and Persons Set Out in the Schedule to the Rural Needs Act (NI) 2016' and that a further written briefing paper will be provided to the Committee in early 2025.

Agreed: The Committee agreed to write to the Department to consider adding groups from the Community and Voluntary sector to the 'List of Bodies' set out in the Schedule to the Rural Needs Act NI 2016.

11. Correspondence

The Committee considered correspondence dated 6 November, from Rt Hon Mr Alistair Carmichael MP, Chair of Environmental, Food and Rural Affairs Committee; that one of his priorities is to promote greater engagement with the devolved legislatures and is hoping to arrange a meeting with Chairs and Conveners.

Agreed: The Committee agreed to write to Rt Hon Mr Alistair Carmichael MP, to support his priority of promoting greater engagement with the devolved legislatures.

The Committee considered correspondence regarding the Youth Assembly, a Newsletter update for October 2024.

Agreed: The Committee noted the correspondence.

The Committee considered the Brussels Report for July – September 2024, NIO Executive in Brussels.

Agreed: The Committee noted the report and the updates on Agri-Fish Council meetings of 15 July and 23 September.

12. Draft Forward Work Programme

The Committee considered the Forward Work Programme to 12 December 2024, and noted the additional meeting on Tuesday 19 November in Room 29 at 10.00 am and that the Committee meeting on 21 November will take place in Loughry College, Cookstown at 10.00 am

Agreed: The Committee agreed the draft forward Programme and to publish with one correction highlighted by the Chair.

13. Any Other Business

14. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Tuesday 19 November, at 10.00 am in Parliament Buildings, Room 29** and then **Thursday 21 November at 10.00am at Loughry College.**

The Meeting adjourned at 12.14 pm

Signature:

Robbie Butler MLA, Chairperson

Dated