



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

19 November 2024

Parliament Buildings, Room 29

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

Present by Video or Teleconference:

Apologies: 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

Before the meeting opened in public session, the Chair advised the Committee the Deputy Chair and Clerk had met with the Minister earlier in the morning regarding an oral statement he is making in the Chamber later that morning. This is in regards to the Minister proposing the establishment of an Independent Environmental Protection Agency [IEPA].

The Committee noted the Minister has appointed an independent panel to gather evidence to inform any recommendation to establish an IEPA or not. A report will be produced by next summer when the outcomes and recommendations will be considered by the Minister;

The Committee noted any proposed appointments will need to be agreed by the Executive.

Agreed: The Committee noted the proposals.

The Chair reminded the Committee at last week's meeting it was discussed if Officials should be available to brief the Committee on any SL1s being considered. Today there are three SL1s for the Committee to scrutinise and the Officials are available regarding each one.

The Committee considered if this should be usual practice for all SL1s coming to the Committee for scrutiny.

Agreed: *The Committee agreed SL1s coming to the Committee should have Officials available to brief the Committee.*

The Meeting Opened in Public Session at 10.09 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

Tom Buchanan, MLA

2. Chairperson's Business

The Chair advised that he had received correspondence from the Advertising Standards Authority (ASA) regarding guidance published on 7 November 2024, on 'advertising regenerative farming initiatives'. The guidance is in regard to the interest and discussion around "regenerative farming."

The Committee noted that while not yet a common feature in mainstream advertising, this concept is gaining traction as a solution to environmental issues, particularly within the agricultural sector. ASA's guidance represents an effort to promote truthfulness and clarity in advertising as the agricultural sector navigates emerging practices.

Agreed: The Committee noted the correspondence and agreed to keep the guidance in mind as the Committee considers emerging farming practices.

3. Minutes

Minutes of the 14 November 2024 were agreed, with the agreed amendment, and signed by the Chair to be published.

4. Matters Arising

The Committee considered the response from the from the Department dated 14 November, regarding the Assembly Debate on the Draft Greenhouse Gas Emissions Trading Scheme (Amendment) (No.2) Order 2024. Minister Muir has agreed to lead the debate on the 26 November, subject to the approval of the Assembly Business Committee. The AERA Committee were provided with advance notice of the laying of the above mentioned Order, together with a summary of the proposed amendments made, in a letter dated 19 September.

The Committee had noted this correspondence at their meeting of 26 September and received an oral briefing on 7 November, which was recorded by Hansard. The Minister is grateful for the Committee's consideration of the Order and in moving the Order he will highlight the following amendments:

- Alignment of the UK ETS cap with a Net Zero trajectory;

- GB only amendments, made during the recent period when the Assembly was not sitting, now being extended to Northern Ireland, with respect to aviation free allocation, carbon capture activities, amendments to free allocation entitlement for electricity generators, and the inclusion of flights from NI to Switzerland in the scope of the scheme;
- Inclusion of process emissions from CO2 venting from 2025; and
- Incorporation of a deficit notice and associated penalty in the scheme

Agreed: The Committee noted the correspondence and that the Chair will be speaking at the debate on behalf of the Committee.

The Departmental Officials joined the meeting at 10.15 am

William Irwin MLA joined the meeting at 10.22 am

5. Oral Briefing from the Department – Consultation on Amendments to Annex A of the UK Wider Joint Fisheries Statement.

The Committee considered the following paper:

- Letter from the Department dated 10 October 2024, regarding the consultation on amendments to Annex A of the UK Wide Joint Fisheries Statement (JFS).

The purpose of the correspondence was to give the Committee advance notice of the scrutiny period and the public consultation on the draft JFS amendments. The UK fisheries policy authorities are working to a timeline to publish the amended Annex A before the end of this year.

The following Officials briefed the Committee:

- Patrick Smith, Sea Fisheries Policy Branch; and
- Owen Lyttle, Director, Marine and Fisheries Division.

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

Agreed: After the question and answer session, the Committee were content with the recommendations out of the Amendments of Annex A of the UK Wider JFS and had no comments for the Department.

The Departmental Officials left the meeting at 10.30 am

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

The Committee noted that at last week's meeting it raised some concerns regarding the making of two Statutory Rules (SRs), which will contribute to the eradication of Bovine Viral Diarrhoea (BVD) in Northern Ireland.

The Committee considered the SL1 The Bovine Viral Diarrhoea Control Order (Northern Ireland) 2024, which will make provision for the introduction of herd restrictions in Northern Ireland, as a disease control measure against BVD.

The Committee noted the following papers:

- SL1 The Bovine Viral Diarrhoea Control Order (Northern Ireland) 2024, copy of the Statutory Rule and the associated Explanatory Memorandum.
- 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 following Officials briefed the Committee on the SL1:

- Christopher Andrews, Deputy Head of Animal and Welfare;
- Mervyn Dunlop, BVD Veterinary Officer; and
- Darren Fullerton, Head of Bovine Viral.

There then followed a question and answer session with Officials.

John Blair MLA left the meeting at 10.44 am

John Blair MLA re-joined the meeting at 10.49 am

The meeting was suspended at 10.54 am for Minister's Oral Statement

The meeting was reconvened at 11.44 am

The question and answer session resumed and was completed after the meeting reconvened.

Agreed: The Committee agreed that the Department proceeds to make the SR ‘The Bovine Viral Diarrhoea Control Order (Northern Ireland) 2024’.

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

The Committee noted at last week’s meeting it had some concerns regarding the SL1 The Bovine Viral Diarrhoea Education Scheme (Amendment) Order (Northern Ireland) 2024, which will amend the existing BVD Eradication Scheme Order (NI) 2016. The SL1 will require bovine animals born before March 2016 that do not have a BVD status, to be tested for BVD.

The Committee noted the following papers:

- SL1 The Bovine Viral Diarrhoea Education Scheme (Amendment) Order (Northern Ireland) 2024, copy of the Statutory Rule and the associated Explanatory Memorandum.

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 following Officials briefed the Committee on the SL1:

- Christopher Andrews, Deputy Head of Animal and Welfare;
- Mervyn Dunlop, BVD Veterinary Officer; and
- Darren Fullerton, Head of Bovine Viral

There then followed a question and answer session with Officials.

Agreed: The Committee agreed that the Department proceeds to make the SR ‘The Bovine Viral Diarrhoea Education Scheme (Amendment) Order (Northern Ireland) 2024’.

The Departmental Officials left the meeting at 11.52 am

8. Departmental Written Briefing - SL1 The Environmental Protection (Wet Wipes Containing Plastic) Regulations (Northern Ireland) 2025

The Committee considered SL1 The Environmental Protection (Wet Wipes Containing Plastic) Regulations (Northern Ireland) 2025.

The SR will be made, in alignment with the other UK nations, and will restrict the use of wet wipes containing plastic throughout the UK. Each UK nation will make their own domestic regulations..

The following Officials briefed the Committee:

- Colin Breen - Assistant Director Environmental Policy Division
- Janet Sheridan - Head of Single Use Plastics Branch.

There then followed a question and answer session with Officials.

Agreed: The Committee agreed that the Department proceeds to make SR The Environmental Protection (Wet Wipes Containing Plastic) Regulations (Northern Ireland) 2025.

Declan McAleer MLA left the meeting at 12.01 pm

Michelle McIlveen MLA left the meeting at 12.01 pm

9. Forward Work Programme

The Committee noted the Forward Work Programme to 9th January 2025.

The Committee noted they will be meeting in Loughry College, Cookstown on Thursday 21 November and also that the Minister will be briefing the Committee at its meeting on 28 November on his review of bovine TB.

Agreed: The Committee agreed to publish the Forward Work Programme.

10. Correspondence

The Committee considered correspondence, dated 6 November, from the Department regarding UK Employment Rights Bill – Abolition of the Gangmaster and Labour Abuse Authority - in respect to the potential extension to Northern Ireland of provisions in the UK Employment Rights Bill, which would abolish the Gangmaster and Labour Abuse Authority (GLAA) and move its enforcement powers under the Secretary of State (SoS) for Business and Trade.

While this remains under review, at this stage the Minister is minded to agree to the extension of these powers to Northern Ireland, which will require a Legislative Consent Motion to be brought to the Assembly.

Agreed: The Committee noted the Departmental Officials will update the Committee in due course.

The Committee considered correspondence regarding the NI Youth Assembly and consultation response to draft Programme for Government.

Agreed: The Committee noted the correspondence.

The Committee considered correspondence, dated 14 November, from William Taylor, Farmers for Action (FFA), NI Co-ordinator, regarding the Chancellor's budget, and requesting an urgent formal meeting with the Committee.

The Committee noted that the previous AERA Chair, Lord Elliott and Deputy Chair, Declan McAleer, met informally with the FFA on 30 April 2024 regarding its proposed Farm Welfare Bill.

Also, that the Committee has now received the Minister's definitive response on the proposed Bill.

The Committee, in regard to due diligence on this matter, has written to Defra to respond on the plans of the new UK Government on fairness in the food supply chain from Farm Gate onwards.

Agreed: The Committee noted that it is waiting for a response from Defra and once received will be in contact with Farmers for Action.

The Committee considered correspondence from the Business Office, dated 14 November, regarding the Annual Report on Drinking Water Quality in Northern Ireland for 2023.

This is the 28th annual report on the quality of drinking water in Northern Ireland and over 99% of the population receive their drinking water from Northern Ireland Water Limited. The remainder is served by private water supplies. Overall public drinking water quality for 2023 remained high with 99.92% compliance, a slight increase from 2022 (99.91%). Compliance at private water supplies was 99.11%, also an increase from 2022 (99.02%).

Agreed: The Committee noted the report, however, agreed to write to the Department to ask if '*the serious event that occurred in September 2023*' has now been concluded, and if not what was the status of the investigation into this incident.

The Committee considered correspondence from Daniel McCann, dated 14 November, which includes a 'Presentation of SOBAC's concept' concerning the blue green algae and a 'fit and proper solution'.

Agreed: The Committee agreed to forward the correspondence and presentation to the Department.

11. Any Other Business

12. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 21 November at 10.00am at Loughry College.**

The Meeting adjourned at 12.04 pm

Signature:

Robbie Butler MLA, Chairperson

Dated