



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

20 March 2025

Parliament Buildings, Room 21

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

Present by Video or Teleconference:

Tom Buchanan MLA
Aoife Finnegan MLA

Apologies: Patsy McGlone MLA
William Irwin MLA

In Attendance: Dr Janice Thompson, Assembly Clerk
Mr Nick Faulkner, Assistant Assembly Clerk
Mr Michael Greer, Clerical Supervisor
Miss Sarah Preece Clerical Officer

The Meeting Opened in Public Session at 10.07 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.

None were declared

1. Apologies

Patsy McGlone MLA

William Irwin MLA

2. Chairperson's Business

The Chair advised the Committee that the Minister's briefing on the DAERA Corporate Plan and other updates scheduled for the meeting will now take place at on 10th April.

Agreed: The Committee agreed to note.

3. Minutes

The Minutes of the meeting on 13 March were agreed and signed by the Chair to be published.

Agreed: The Minutes were agreed.

4. Matters Arising

4.1 The Committee considered the response from the Department, dated 13 March, in reply to its request for further details about measures being taken to prevent sickness absence in the NICS.

The Committee noted the actions that are being taken by the NICS, including a Sickness Absence Policy Review; Health and Wellbeing Strategy and Action Plan; a Mental Health Forum; and a recognition of the role of Occupational Health. The

Chair noted that there appeared to be nothing really pre-emptive in the response in the prevention of illness.

Agreed: The Committee agreed to note the correspondence.

4.2 The Committee considered the response from the Department, dated 13 March, regarding ISNI Investing Activity Report – Construction Projects, in reply to its letter of 28 February regarding mitigating measures to control the cost and timelines of projects.

The Committee noted the CAFRE Project is being managed in accordance with industry recognised Royal Institute of British Architects (RIBA) Plans of Work and PRINCE2 methodology to assure that the project remains viable in terms of costs and benefits.

The Committee noted that the Department is content with the level of expertise it has available to provide advice and support for projects of this scale and complexity and that the Project Senior Responsible Officers will provide updates to Committee through the lifecycle of the Greenmount and Loughry construction projects.

Agreed: The Committee agreed to note the response and to return to the matter at a later date if required.

4.3 The Committee considered the response from the Department, dated 13 March, regarding NIEA Wastewater Capacity following the written briefing on the matter at its meeting on 27 February.

The Committee noted that The Water Stakeholders Partnership Agreement (WSPA) provides a mechanism for the key stakeholders to engage on common strategic issues and to understand the role of each partner in the delivery of their statutory responsibilities.

The Committee noted that the NIEA holds no information on its legal costs for successful prosecutions against NI Water and does not pay, or recover its legal fees.

The Committee noted that lessons learned following incidents are discussed between both parties but were surprised that there has been no analyses of the effectiveness of fines in preventing future incidents.

Agreed: The Committee agreed to note the response and to return to the matter at a later date.

4.4 The Committee noted the response from the Department, dated 13 March, regarding its query on The Greenhouse Gas Emissions Trading Scheme (Amendment) (No.2) Order 2025.

The Committee noted the Order amends Article 75B of the 2020 Order, as it prohibited the UK ETS Authority from disclosing information collected under UK ETS legislation except in certain circumstances. The provision introduces two new exemptions to enable a national authority to disclose information to another Government Department with appropriate security protocols, if it is in support of objectives related to those of the UK ETS or to support the Climate Change Committee in delivering its statutory objectives.

Agreed: The Committee agreed to note the response.

4.5 The Committee considered the response from the Department, dated 14 March, regarding tax implications of payments stemming from The Farming for Sustainability Knowledge Transfer Payments Regulations (Northern Ireland) 2025 - regulations 3(a) and 3(b).

The response stated that matters relating to taxation are outside of the department's remit and recommends that the Committee forward its query to HM Revenue & Customs.

Agreed: The Committee agreed to write to HMRC to seek clarity.

Agreed: The Committee agreed to write to the Department expressing concern that information in relation to tax implications is not made available as part of the

application process and that this information should be made available going forward.

Agreed: The Committee agreed to write to the Department to seek confirmation of when the Entitlements Trading Window will open in connection with The Farm Sustainability Transition Payment.

4.6 The Committee considered the response from the Department, dated 18 March, regarding the NIEA Planning Update.

The response stated that following a review of internal processes to seek efficiencies, two of the advisory planning teams within Natural Environment Division (NED) will merge; that the current NIEAPC database that manages internal case-flow is outdated but any replacement is unlikely to have the function to categorise consultations into minor/major/significant in relation to environmental impact or consultation type; and for recruitment, options have included temporary redeployments; temporary promotions; issuing transfer notices for vacant posts and temporary agency workers.

Agreed: The Committee agreed to write to the Department to clarify the date of the merger and also to seek further details such as the roles/responsibilities of the two original teams, the same for the merged team and what efficiencies are expected.

The Departmental Officials joined the meeting at 10.15 am

5 – Departmental Briefing on the Ozone Depleting Substances (ODS) and Fluorinated Greenhouse Gases (F- gases) UK Common Framework

This item was recorded by Hansard

The Committee noted the briefing is to assist in its scrutiny of the provisional UK Common Framework, which has undergone scrutiny in the House of Lords in October 2022 and in the Scottish Parliament in 2022.

The following Officials briefed the Committee:

- Caroline Barry -Acting Head of Chemicals and Industrial Pollution Policy, DAERA
- Roger Irwin - DAERA

The Committee heard that F-gases and ODS are gases used in industry in areas such as refrigeration and air conditioning, and have a very high Greenhouse Warming Potential and as such the prior EU laws have been assimilated into both GB and NI law to limit emissions.

The Common Framework has been compiled to set out how government officials throughout the UK will continue to collaborate on F-gas and ODS policy after EU Exit.

There then followed a question and answer session.

The Committee queried the potential for policy divergence between NI and GB and heard it would be considered by the four administrations jointly, and if necessary escalated via the Frameworks' dispute resolution mechanism.

The Committee heard that in regard to policy in this area, Northern Ireland will be treated differently from the rest of the UK as the relevant laws fall under the Windsor Framework. This may result in some trade barriers between NI and GB but that mitigation measures are being taken including electronic checks to avoid potential delays. There may also be some administration costs to business.

The Chair thanked the Officials for the briefing.

Agreed: The Committee agreed to continue its scrutiny at a later date.

Michelle McIlveen MLA left the meeting at 10.48am

The Departmental Officials left the meeting at 10.55am

The Departmental Officials joined the meeting at 10.55am

Áine Murphy MLA left the meeting at 10.57am

Áine Murphy MLA re-joined the meeting at 11.03am

5. Departmental Briefing Integrated Pollution Prevention and Control – The Developing and Setting of Best Available Techniques (BAT) Provisional UK Common Framework

This item was recorded by Hansard

The Committee noted the briefing is to assist in its scrutiny of the provisional UK Common Framework.

The following Officials briefed the Committee:

- Caroline Barry -Acting Head of Chemicals and Industrial Pollution Policy, DAERA
- Nicola Duffin - Senior Scientific Officer, DAERA

The Committee heard that larger industrial installations undertaking specific types of activity are required to use Best Available Techniques (BAT) to reduce emissions that impact on the environment and are applied to the Permit for the installation, to ensure that no significant pollution is caused.

The Committee heard the UK was part of the EU BAT development process prior to EU exit and the Framework sets out how government officials throughout the UK will continue to collaborate to develop UK wide arrangements to support the effective regulation of industrial emissions.

There then followed a question and answer session.

The Committee heard that the Department is working closely with GB counterparts to avoid areas of divergence. However, if any arise, the Officials felt that the Framework is robust enough to deal with issues and find solutions by consensus in the first instance, but a dispute resolution mechanism is in place if required.

The Chair thanked the Officials for the briefing.

Agreed: The Committee agreed to continue its scrutiny on this Common Framework and the F-gases and ODS at later date.

The Officials left the meeting at 11.15am.

The meeting was suspended at 11.16am

The meeting resumed at 11.34am

The meeting went into closed session at 11.35am

7. Agriculture Bill - Delegated Powers Memorandum

The Committee noted that to assist it in the deliberations on the Agriculture Bill legal advice would be provided on the Delegated Powers Memorandum.

The Committee went into closed session to consider the legal advice.

The following Assembly officials briefed the Committee

- Angela Kelly Examiner of Statutory Rules
- Catriona Doherty, Legal Adviser

There then followed a question and answer session.

The Chair thanked the Officials for the briefing

Agreed: The Committee agreed to note the legal advice.

The Meeting resumed in open session at 12.05 am

The Departmental Officials entered at 12.05am

Michelle McIlveen MLA re -joined the meeting at 12.33pm

8. Committee Deliberations on the Agriculture Bill

This item was recorded by Hansard

The Committee continued its Deliberations on the Agriculture Bill and noted that it is not the formal clause by clause stage but the opportunity to go through the Clauses and comprehensively review with the Department any issues of concern.

The Committee noted it had deliberated on Clause 1 last week and would start at Clause 2 as only limited discussion had occurred on that Clause at the meeting of 13 March.

The following Departmental Officials briefed the Committee:

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

The Officials gave the Committee a brief overview of Clause 2 - Aid in the fruit and vegetables sector: power to modify.

The Chair outlined an overview of a range of the comments made by the respondents to the Call for Evidence, the majority of which opposed the Clause.

There then followed a question and answer session in which the Officials responded to Committee comments on the issues that has been raised in the evidence provided to date.

The Committee heard that the FVAS review provides a good opportunity to align the scheme with attractive elements contained in EU schemes and to tailor it to meet the specific circumstances found in Northern Ireland.

The Committee also heard that the Department intends to widen consultation with a view to finding ways of making the scheme more attractive to other sectors.

The Committee agreed that it would continue with the deliberations on Clause 2 at its next meeting.

The Officials gave the Committee a brief overview of Clause 3 Information provision and promotion measures: power to modify.

The Chair outlined an overview of a range of the comments made by the respondents to the Call for Evidence, the majority of which opposed the Clause.

There then followed a question and answer session in which the Officials responded to Committee comments on the issues that has been raised in the evidence provided to date.

The Committee heard of previous successes in programmes promoting Northern Ireland agri food products.

The Committee heard that it was an opportunity to continue to review strategies and to consider if better ways can be found in the provision of information and food promotion.

The Committee heard that the Department believes the powers may help to create flexibility in reacting to changes in global food pressures.

The Committee agreed that it would continue with the deliberations on Clause 3 at its next meeting.

The Officials then gave the Committee a brief overview of Clause 4 - Regulations

The Chair outlined an overview of a range of the comments made by the respondents to the Call for Evidence, the majority of which opposed the Clause.

There then followed a question and answer session.

The Committee heard that the Clause does not benefit larger growers at the expense of smaller ones, as the advantage of the PO is that the smaller growers get a good share of the funding available and can learn from larger growers within the PO.

The Committee agreed that it would continue with the deliberations on Clause 4 at its next meeting.

The Officials then gave the Committee a brief overview of Clause 5 – Interpretation

The Chair outlined an overview of a range of the comments made by the respondents to the Call for Evidence, the majority of which opposed the Clause.

There then followed a question and answer session.

The Committee heard that any changes to the legislation are subject to agreement in the Assembly.

The Committee agreed that it will continue with the deliberations on Clause 5 at its next meeting.

The Officials then gave the Committee a brief overview of Clause 6

The Chair outlined an overview of a range of the comments made by the respondents to the Call for Evidence.

There then followed a question and answer session.

The Committee agreed that it will continue with the deliberations on Clause 6 at its next meeting.

Agreed: The Committee agreed to continue the deliberations on the Bill at its next meeting.

Agreed: The Committee agreed to seek stakeholders views regarding the Minister's decision not to close the Fruit and Vegetable Aid Scheme (FVAS) at the end of 2025.

The Chair thanked the Officials for the briefing.

The Departmental Officials left the meeting at 12.34 am

9. SR 2025/47 The Direct Payments to Farmers (Cross-Compliance) (Revocation) Regulations (Northern Ireland) 2025

The Committee noted that following the support of a Committee Prayer of Annulment at the Assembly on 4 February 2025 revocation action was required and at the meeting on 6 March week it agreed that the Department proceeds to make the SR.

Agreed: The Committee agreed it had considered SR 2025/40 The Farming for Sustainability Knowledge Transfer Payments Regulations (Northern Ireland) 2025 and had no objection to the Rule, subject to the report of the Examiner of Statutory Rules.

10. Departmental Written Briefing - Consultation on Mandatory Use of CCTV in Slaughterhouses

The Committee noted that the Department intends to launch an 8 week public consultation on 26 March on the introduction of mandatory Closed-Circuit Television (CCTV) in slaughterhouses.

The Committee noted that the proposed policy would provide benefits such as improved practices, assurances of high standards of animal welfare, and the enhancement of evidence for officials to take enforcement action where it is deemed necessary. It will also bring Northern Ireland up to the same standards in place in the rest of the United Kingdom.

Agreed: The Committee agreed to note the briefing.

11. Departmental Written Briefing - Blue Carbon Action Plan - Publication of Synopsis report and final action Plan

The Committee noted on 22 April 2024 the Department opened a consultation on Northern Ireland's first Blue Carbon Action Plan.

The Committee noted the Plan recognises how marine ecosystems can help contribute to climate change mitigation and adaptation and that if these habitats become degraded or damaged their ability to capture and store greenhouse gases declines.

The Committee noted the aims of the Plan are to:

1. Establish and maintain a framework that monitors and protects Northern Ireland's existing blue carbon habitats;
2. Promote blue carbon habitats as a nature-based solution for addressing the challenges presented by climate change and biodiversity loss, while highlighting wider societal benefits; and
3. Align the Plan with cross-cutting policies relating to climate change, biodiversity and other environmental obligations, recognising the links between marine and terrestrial ecosystems.

Agreed: The Committee agreed to write to the Department advising that no further considerations are required before the Blue Carbon Action Plan is published.

12. Fair Farm Pricing

The Committee considered the following papers:

- Draft letter to the Farmers For Action
- NIO email 16 January 2014.
- Draft SI -The Fair Dealing Obligations (Pigs) Regulations 2025

The Committee noted it has been considering this matter at a number of meetings since October and, as far as it was aware, no previous AERA Committee has sought legal advice from the Assembly Legal Services regarding the Farm Welfare Bill.

The Committee also noted that the Draft SI -The Fair Dealing Obligations (Pigs) Regulations 2025, which extend to Northern Ireland have been laid in Westminster

and will introduce mandatory written contracts between first purchasers and pig sellers for all pigs sold in the UK unless a seller opts out of having a written contract.

Agreed: The Committee agreed to seek legal advice regarding its view that Farm Gate Prices strays into competition law which is a 'Reserved Matter' under Schedule 3 of the Northern Ireland Act 1998.

Agreed: The Committee agreed to write to the Department to request an update on all of the input by DAERA to DEFRA on the development of all Fair Dealings Regulations and also on any other connected matters regarding ensuring a fair price at the farm gate and the impact on Northern Ireland's farmers.

13. Correspondence.

13.1 The Committee considered correspondence from the Department, dated 12 March, and a copy of The British Wool Annual Report and Accounts for 2023/24 which the Department is required lay before the Northern Ireland Assembly.

Agreed: The Committee agreed to note the report.

13.2 The Committee considered correspondence from The NI Fiscal Council, dated 12 March, and a copy of the report on the 2025-26 Draft Budget entitled 'The NI Executive's 2025-26 Draft Budget: an assessment'.

Agreed: The Committee agreed to note the report.

13.3 The Committee considered a memo from the Clerk to the Finance Committee, dated 13 March, regarding Final Budget 2025-26 proposals.

The Committee noted that the DoF has written to all departments to seek further information to inform final Budget 2025-26 proposals, following the closure of the Department of Finance consultation on 13th March

Agreed: The Committee agreed to note the memo.

13.4 The Committee considered a memo from the Clerk to the Public Accounts Committee dated 14 march regarding a Primacy Update on two health-related NIAO reports.

Agreed: The Committee agreed to note the memo.

14. Forward Work Programme

The Committee considered the draft Forward Work Programme.

Agreed: The Committee agreed the Forward Work Plan to be published.

15. Any Other Business

None

16. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 27 March at 10.00am at the Agri-Food and Biosciences Institute (AFBI) Hillsborough.**

The Meeting adjourned at 12.44 pm

Signature:

Robbie Butler MLA, Chairperson

Dated