



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

6 March 2025

Parliament Buildings, Room 21

Present: Robbie Butler MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
Tom Buchanan MLA
Aoife Finnegan MLA
William Irwin MLA
Michelle McIlveen MLA
Patsy McGlone MLA
Áine Murphy MLA

Apologies: None

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 10.04 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.

None were declared.

John Blair MLA joined the meeting at 10.05am

Aoife Finnegan MLA joined the meeting at 10.07am

Patsy McGlone MLA joined the meeting at 10.09am

1. Apologies

None

2. Chairperson's Business

The Chair referred to his Member's Statement in Plenary on 4 March, regarding issues relating to DAERA's Net Zero Survey and advised the survey has now be taken down for the issues to be resolved.

Agreed: The Committee was content to note.

The Chair referred to the concurrent evidence session between the AERA Committee the Economy Committee, held in the Senate Chamber on 5 March, to consider the response of Fibrus Networks Ltd to Storm Éowyn.

The Chair noted that it was agreed that a follow-up concurrent meeting will be held in due course to hear from Officials from Department for the Economy and from DAERA on Project Stratum.

Agreed: The Committee noted the success of the concurrent meeting.

The Chair referred to the Programme for Government 2024-2027 and noted it was approved by the Assembly on 3rd March.

Agreed: The Committee agreed to note the Programme for Government 2024-2027.

The Chair referred to the oral statement the Minister of Finance made in the Chamber on 4 March, announcing £129m of Transformation Programme funding for innovative projects to support and drive the transformation of our public services.

Agreed: The Committee agreed to note the statement.

3. Minutes

A Member requested that the Minutes be amended to reflect his point regarding the provisions contained in SR The Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025, that effectively give the Department the powers to move funds between relevant schemes and that a letter be sent to the Department.

The Minutes of the meeting on 27 February were agreed as amended above and signed by the Chair to be published.

Agreed: The minutes were agreed as amended.

4. Matters Arising

4.1 The Committee considered the response from the Department, dated 27 February, regarding Update on new Farm Sustainability Standards (FSS) and Penalty Scheme.

The Committee noted that, following the oral briefing on 13 February, it requested further information regarding the date of completion of the Nutrients Action Programme (NAP) Review and how it will impact on the development or subsequent revision of the FSS.

The response stated that, following consultation and finalisation of the updated NAP, the NAP Regulations will be introduced in the second half of 2025 and that any new measures brought in via the NAP will be incorporated into FSS for the year of implementation of the NAP measure. The FSS documents will be updated to reflect any NAP changes as they apply.

Agreed: The Committee agreed to note the response.

4.2 The Committee considered the response from the Department, dated 4 March, regarding The Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2025.

The Committee noted that, at its meeting on 20 February, it sought clarity on what date the Department realised that Regulation 8A (6) (b) did not reflect the devolution arrangements for marine conservation and when it met with Defra to agree the way forward.

The response stated that the issue was first raised by Defra on 9 June 2023 and DAERA officials met with Defra on 6 November 2023 and agreed the regulations needed to be amended.

DAERA discovered that Section 14 of the Retained EU Law (Revocation and Reform) Act 2023 could be used and on 5 November 2024 provided Defra with a list of amendments. On 20 December Defra confirmed they were content for the Department to commence the process of making the amending regulations.

Agreed: The Committee noted the response.

4.3 The Committee considered a response from the Department, dated 4 March regarding NICS Sick Absence Levels.

The Committee noted that the NICS Health and Wellbeing Strategy and Action Plan, launched in January 2025, enables targeted interventions at both a NICS-wide and departmental level. The Committee also noted additional actions including the establishment of the NICS Mental Health Forum, mandatory sickness absence training for all new line managers; Management Information Dashboards to identify any emerging trends; and strengthening services provided by the NICS Occupational Health Service.

Agreed: The Committee agreed to write to the Department of Finance to ask in addition to the Health and Wellbeing strategy what other measures it is putting in place, or considering, to preventing sick absence.

4.4 The Committee considered correspondence from the Department, dated 4 March, regarding Gangmasters and Labour Abuse Authority (GLAA) – Proposed Licence Fee Increase.

The correspondence stated that the GLAA propose to increase its licencing fee by 55% from 28 April 2025, highlighting that GLAA fees have not been reviewed since 2009 and are not currently covering the costs of its licencing service. There is a statutory requirement for the GLAA to consult with DAERA before making any rules about fees.

Agreed: The Committee noted the correspondence.

The Departmental Officials joined the meeting at 10.14 am

5 – Department of Agriculture, Environment & Rural Affairs Evidence Session - Avian Influenza Outbreak

The Committee noted it wrote to the Minister on 17 February requesting an urgent oral update regarding DAERA's response to the outbreak and at its meeting on 27 February the Committee considered a written briefing on this matter from DAERA and a Ministerial Written Statement, dated 24 February.

The following Officials briefed the Committee:

- Ignatius McKeown - Divisional Veterinary Office, Epizootic Disease & TSE
- Sandrine Gunst - Senior Principal Veterinary Officer, CPED & ICB, Epizootics & TSE
- Jim Blee - Deputy Director, Animal Disease Control Policy and Animal Health Legislation.

The Officials provided the Committee with an update on the Department's response to the current outbreak and the mitigating measures taken to stop the spread and to raise awareness.

A question and answer session followed the briefing.

The Committee heard that there is regular engagement with colleagues across the border and there is an agreed approach in dealing with outbreaks. The Committee

also heard that the Department has detailed contingency plans for handling outbreaks of epizootic disease and undertakes regular exercises and training and with colleagues in the rest of the UK.

The Committee heard that the Department has had no concerns regarding non-compliance with the Biosecurity measures in place.

The Committee raised concerns regarding compensation for the culling of flocks as they have been aware that there are occasions where live birds have become infected between the Department completing their on-site assessment, and culling commencing that these infected live birds are not eligible for compensation.

The Chair thanked the Officials for the briefing.

Agreed: The Committee agreed to write to the Department regarding compensation to ask what lessons have been learned from specific cases and what mechanisms are being put in place to mitigate against this and ensure that flock keepers are supported going forward.

The Departmental Officials left the meeting at 10.54 am

The Departmental Officials joined the meeting at 10.55 am

Michelle McIlveen MLA left the meeting at 10.55am

Michelle McIlveen MLA re-joined the meeting at 10.58am

6. Department of Agriculture, Environment & Rural Affairs Evidence Session - Lough Neagh Action Plan – Programme Management Update

The Committee noted that the purpose of the briefing was to provide an update on the implementation of the Lough Neagh Action Plan.

The following Departmental Officials briefed the Committee:

- Adele Willis - Lough Neagh Delivery and Governance, Natural Environment Policy Division
- Catriona Davis –Water Management Unit, NIEA
- Patrick Murphy – Chief Scientific Advisor’s Office, DAERA.

The Officials provide the Committee with an update on the progress to date of the implementation of the Lough Neagh Action Plan.

A question and answer session then followed.

The Committee heard that the issues of Lough Neagh recovery are complex and it will take some years and involve collaboration amongst government, local authorities business and communities.

The Committee heard that work is continuing to recruit enforcement and regulatory staff, focused on the Lough Neagh Catchment, and 21 out of 28 posts have been filled.

The Committee heard that the Minister proposes to allocate £4.3 million Resource DEL and £12.8 million Capital DEL for Lough Neagh to allow DAERA to continue to take forward a range of actions in the Lough Neagh Action Plan.

The Committee heard it is anticipated that there will another algae bloom this year but at this stage it is not known at what level blue/green algae will return be as this can depend on a range of factors in the Lough.

The Committee heard that an Innovation Lab (I-Lab) has been commissioned to generate solutions and to establish a long-term vision for Lough Neagh over the next 20-30 years and will hold a two-day event this March.

The Committee thanked the Officials for the briefing.

Agreed: The Committee agreed to write to the Department to request:

- full details on the projects and actions that are to be funded under the proposed funding allocations;
- details on the Sustainable Use of Livestock Slurry (SULS) Small Business Research Initiative programme and an update on Phase 2 in particular; and
- updates on the outcomes from the I-Lab event to be held and the outcome of the PhD funding allocations in relation to the number of posts and the projects.

John Blair MLA left the meeting at 11.32am

John Blair MLA re-joined the meeting at 11.37am

Aoife Finnegan MLA left the meeting at 11.35am

Aoife Finnegan MLA re-joined the meeting at 11.39am

The Departmental Officials left the meeting at 11.39 am

The meeting was suspended at 11.39 am

The meeting resumed at 11.47 am

Aine Murphy MLA joined the meeting at 11.47am

7.Oral Briefing from The Department - SL1 The Suckler Cow Scheme Regulations (Northern Ireland) 2025

This item was recorded by Hansard

The Chair stated for the record that two of the SL1s for the meeting were not received until Tuesday and that it was unacceptable for Departmental papers for main agenda items to not be received in time for inclusion in the main Committee Pack.

The Committee noted the policy briefing on the Suckler Cow Scheme at its meeting on 27 February, which will incentivise farm businesses to increase the percentage of eligible calving events within the Northern Ireland suckler cow herd that achieve a reduced age at first calving and/or calving interval over a four-year phased implementation period. The aim is to help improve overall farm productivity and reduce greenhouse gas emissions.

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 on 1 April 2025.

The following Officials briefed the Committee, firstly apologising for the lateness of the papers:

- Dr Rosemary Agnew - Director of Agricultural Policy, DAERA
- Aveen McMullan - Acting Head of Beef Sustainability Policy Branch, DAERA.

There then followed a question and answer session and the Officials.

The Committee heard that the scheme has an annual quota of 220,000 calving events and if that is exceeded then there will be a linear reduction applied at farm level on the number of calving events that will receive payment.

The Committee heard that the Department plans to review the scheme after six months and then at two years to address any unintended consequences of the scheme.

The Chair thanked the Officials for the briefing.

Agreed: The Committee agreed that the Department proceeds to make the SR and will consider it and the ESR Report in due course.

The Departmental Officials left the meeting at 12.09 am

The Departmental Officials joined the meeting at 12.09 am

8. SL1 The Farming for Sustainability Knowledge Transfer Payments Regulations (Northern Ireland) 2025

This item was recorded by Hansard

The following Officials briefed the Committee:

- Dr Rosemary Agnew - Director of Agricultural Policy
- Mr Albert Johnston, Acting Head of Knowledge Advisory Service.

The Committee heard the Department intends to make a Statutory Rule to introduce the Farming for Sustainability Knowledge Scheme, which will provide for payments to be made by the Department to eligible farm businesses in relation to hosting visits as part of the Scheme.

The Committee heard 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 on 1 April 2025.

There then followed a question and answer session.

The Committee heard that the events are not targeted at one group and is open to all demographics of farmers and the timings of events will be scheduled to suit the availability of farmers.

The Chair thanked the Officials for the briefing.

Agreed: The Committee agreed that the Department proceeds to make the SR and will consider it and the ESR Report in due course.

Agreed: The Committee agreed to write to the Department to seek confirmation if the payments made under regulations 3(a) and 3(b) will be considered as taxable income to a farm business.

The Departmental Officials left the meeting at 12.24 am

9. SL1 The Direct Payments to Farmers (Cross-Compliance) (Revocation) Regulations (Northern Ireland) 2025

The Committee noted the Department intends to make a Statutory Rule, subject to negative resolution, which will revoke the provisions made under SR 2024/211 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2024.

The Committee noted the Committee Prayer of Annulment was supported at the Assembly on 4 February 2025 and revocation action is now required.

Agreed: The Committee agreed to that the Department take the SR forward to revoke SR 2024/211.

10. Agriculture Bill

The Committee noted the responses it had received on Citizen Space and also the written papers it has taken oral briefings on, in preparation for its deliberations on the Bill.

The Committee also considered a letter from the Minister to the Chair, dated 4 March, regarding the Fruit and Veg Aid Scheme (FVAS), stating that after following Committee evidence sessions to date the Minister has decided he will not be closing the FVAS at the end of 2025. This would allow Producer Organisations with a head office in Northern Ireland to submit a new operational programme for approval in September 2025.

The Committee noted the Minister has also instructed officials to begin preparatory work on a replacement scheme to be developed in co-design with the horticultural sector, informed by the ongoing policy review of the current FVAS.

Agreed: The Committee agreed to commence its formal deliberations of the Bill at the meeting of 13 March.

Agreed: The Committee agreed to seek the views of the mushroom sector regarding the Ministers decision not to close the FVAS at the end of 2025.

11. UK Emissions Trading Scheme (UK ETS) Common Framework

At its meeting on 5 December the Committee had an oral evidence session with officials to consider the UK ETS Common Framework and noted that it sets out the governance structures and decision making processes in relation to the implementation and ongoing development of the UK ETS by the UK ETS Authority.

At today's meeting, the Committee considered a follow-up letter from the Department, highlighting that the UK ETS Common Framework is already operating on a provisional basis pending completion of scrutiny and finalisation, and the structures and arrangements set out in the document form the basis of the ongoing operation of the UK ETS Authority.

The Committee noted that the obligation remains for NI, under the terms of the Windsor Framework, to continue to implement the EU Emissions Trading System in respect of electricity generation - to protect the operation of the Single Electricity Market on the Island of Ireland.

The Committee were pleased to note that the Department has stated that it does not have any concerns with respect to the operation of the UK-ETS to date.

The Committee noted it has had a considerable number of briefings on the operation of the UK ETS and that all the Common Frameworks will be reviewed once all Parliaments have signed off on the provisional frameworks.

Agreed: The Committee agreed to write to the Department to advise that its scrutiny is complete and to request to be kept updated on the operations of the UK ETS CF and that it will consider the Department's input into any future review in due course.

12. Correspondence

12.1 The Committee considered correspondence from the Department dated 25 February, regarding: Quarterly Sickness Absence in the Northern Ireland Civil Service October 2024 to December 2024.

Agreed: The Committee agreed to note the correspondence.

12.2 The Committee considered correspondence from the Department dated 27 February, regarding the consultation on the Environmental Report for the Combined Ammonia Strategy and Operational Protocol as part of the Strategic Environmental Assessment (SEA) Process and a copy of the SEA Environmental Report.

The Committee noted consultation on the Proposed Ammonia Strategy is planned to take place as part of the forthcoming consultation on the Nutrients Action Programme Review in 2025.

Agreed: The Committee agreed to note the report.

12.3 The Committee considered a memo from the Clerk to the Public Accounts Committee dated 28 February advising that the Committee agreed to release the following reports;

- Northern Ireland Non-Domestic Renewable Heat Incentive scheme: Assessing progress with the implementation of the Public Inquiry recommendations.
- Northern Ireland Non-Domestic Renewable Heat Incentive Scheme: Assessing progress with the implementation of the Public Inquiry recommendations (Second Report).

Agreed: The Committee agreed to note the memo.

13. Forward Work Programme

The Committee considered the draft Forward Work Programme.

The Committee noted that after the meeting on 13 March it will hold an informal strategic planning session.

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

14. Any Other Business

A Member referred to the previous joint concurrent meeting with the Committee for Infrastructure on 12 November, regarding the A5 Western Transport Corridor Scheme and noted that some issues for landowners affected still need addressed.

Agreed: The Committee agreed to consider the opportunity for a further joint concurrent meeting with the Committee for Infrastructure and requested that the Clerk liaise with the Clerk of that Committee.

15. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 13 March at 10.00am in Parliament Buildings, Room 21**

The Meeting adjourned at 12.35 pm

Signature:

Robbie Butler MLA, Chairperson

Dated