



Northern Ireland  
Assembly

# Agriculture, Environment and Rural Affairs Committee

## Minutes of Proceedings

26 September 2024

Parliament Buildings, Room 21

**Present:** Lord Elliott MLA (Chairperson)  
Declan McAleer MLA (Deputy Chairperson)  
John Blair MLA  
Nicola Brogan MLA  
Tom Buchanan MLA  
William Irwin MLA  
Patsy McGlone MLA  
Michelle McIlveen MLA  
Áine Murphy MLA

**Present by Video or Teleconference:**

None

**Apologies:** None

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

Ms Carla Campbell, Clerical Supervisor

***The Meeting Opened in Public Session at 10.10 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**

None

**2. Chairperson's Business**

The Chair advise the Committee that the proposed visit of a delegation from Kwahu South Municipality of the Republic of Ghana has been postponed. The Engagement Team will let the team know if or when a new date is arranged.

**Agreed:** The Committee noted the visit was postponed.

The Chair highlighted the invitation to the International Ploughing Championships in Gilford, Lurgan on Friday and Saturday 27 / 28 September.

**Agreed:** The Committee noted the event.

**3. Minutes**

Minutes of the 19 September 2024 were signed and agreed to be published.

***Mr Patsy McGlone MLA joined the meeting at 10.14 am.***

**4. Matters Arising**

The Committee considered the response, dated 18 September, from the Department, in reply to its letter of 12 September, regarding a meeting with Green Investment Bank. The Department has confirmed a meeting took place on 10 July with between DAERA Officials and staff from Macquarie Green Investment Group (acquired the Green Investment Bank in 2017) and also staff from Vorn Bioenergy (acquired by Macquarie Asset Management's Green Investment Group in 2022).

The Committee noted the representatives from Vorn expressed particular interest in the biomethane from livestock slurry concept being progressed as part of DAERA's Sustainable Utilisation of Livestock Slurry project, given the similarity to a project they developing in Germany.

**Agreed:** The Committee noted the response

The Committee considered the response, dated 23 September, from the Department, in reply to its letter of 13 September, on the concerns of the Fishing and Mushroom Industries regarding the Migration Advisory Committee (MAC) Report.

The Committee noted that on the 9 July, the Minister wrote to the newly appointed Defra Secretary of State, Rt Hon Steve Reed MP, bringing to his attention pressing issues, including labour shortages and the importance of immigration policy for the agri-food industry.

He also subsequently wrote to Professor Brian Bell, the Chair of the MAC, on 23rd July to express his views on the five thematic recommendations of the MAC Report.

The Committee noted that Officials continue to engage with the Home Office and Defra Officials on labour matters for the agri-food sector.

**Agreed:** The Committee noted the Minister has taken action on this matter and the Department will keep the Committee updated on any developments.

The Committee considered the response, dated 23 September, from the Department, in reply to its letter of 13 September regarding Mobuoy Remediation Cost Estimations. The Department confirmed that Tetra Tech Ltd followed the industry standard process regarding Land Contaminations Risk Management (LCRM).

The Committee noted that the process does not require quantitative or calculated figures and estimates to complete the qualitative comparison between potential

remediation options. The Department's next step is a public consultation to seek views on the draft remediation strategy.

**Agreed:** The Committee noted the response from the Department and that it will be kept up dated as the consultation progresses.

The Committee considered correspondence, dated 25 September, from Dr Julie Harrison, Permanent Secretary, Northern Ireland Office, regarding clarification on roles and responsibilities of the DAERA Minister and the Secretary of State in relation to the Windsor Framework (Implementation) Regulations 2024.

The Committee also noted included an updated list, laid in the Assembly Library of recently published EU legislation, which as of the 23<sup>rd</sup> of September, is under the direction and control of the Defra Secretary of State. The Committee noted the areas of control have increased from 19 to 26.

**Agreed:** The Committee noted the correspondence and agreed to request a briefing from the DAERA Director of the Windsor Framework Implementation Directorate regarding the increased number of the areas of control and the clarification on roles and responsibilities of the DAERA Minister and the Secretary of State.

***The Departmental Officials joined the meeting at 10.18 am.***

***Ms Nicola Brogan MLA joined the meeting at 10.22 am***

***Ms Nicola Brogan MLA left the meeting at 10.23 am***

***Ms Nicola Brogan MLA re-joined the meeting at 10.37 am***

***Mr William Irwin MLA joined the meeting at 10.28 am***

## **5. Oral Briefing from the Department of Agriculture, Environment and Rural Affairs – Bluetongue Virus Update**

The Committee heard that Bluetongue virus (BTV) is an epizootic, insect-borne, viral disease to which all species of ruminants are susceptible, although sheep are most severely affected. The disease is caused by a virus which is transmitted by

certain species of biting midges. Animal to animal transmission is not reported except through the transplacental route. The Culicoides species of midge which carries the infection is found in Northern Ireland.

The Committee noted collaboration between NI and both GB and Republic of Ireland authorities with respect to a co-operative approach to animal disease control within the UK and on the island of Ireland.

The following Departmental Officials joined the meeting:

- Ignatius McKeown, Divisional Veterinary Officer, Epizootics;
- Jim Blee, Deputy Director, Animal Health and Welfare Policy; and
- Steve Lucas, Head of Animal Disease Control Policy.

There then followed a substantial question and answer session.

The Committee noted there are no public or food safety issues as a result of the BTV confirmations in GB and that there is currently a blanket ban on the movement of animals between GB and Northern Ireland, also between Europe and GB.

The Committee noted the midge species which spreads the disease can cover an area of up to 20 kilometres; that from December through winter in Northern Ireland is a 'midge free time'; and AFBI are carrying out surveillance on midge population.

The Chair thanked the Officials for their helpful briefing, that the Committee fully supports the work of the Department, urging everyone to take precautions act responsibly to ensure BTV does not arrive in Northern Ireland.

**Agreed:** The Committee noted the briefing.

***Mr Declan McAteer MLA joined the meeting at 11.03 am***

***Mr Patsy McGlone MLA left the meeting at 11.03 am***

***Mr Patsy McGlone MLA re-joined the meeting at 11.12 am***

***The Departmental Officials left the meeting at 11.05 am***

## **6. Oral Briefing – North Channel Wind Project**

The Committee noted the North Channel Wind is a proposed 1-gigawatt floating offshore wind project in the North Channel of the Irish Sea. The project would be the largest renewable energy project in Northern Ireland and could save an estimated 1.8 million tonnes of CO2 every year compared to equivalent electricity generation by non-renewables.

The Committee noted a target in the Climate Change Act (Northern Ireland) 2022 is for Northern Ireland to be 80% carbon free by 2030.

The Chair welcomed the following officials to the meeting:

- Ms Niamh Kenny, Project Director, North Channel Wind;
- Mr Andy McCrea, Project Developer, North Channel Wind;
- Ms Clodagh McGrath, Environmental & Consenting Manager, North Channel Wind; and
- Ms Fiona Stevens, Stakeholder Manager, North Channel Wind.

There then followed a question and answer session.

The Chair thanked the Officials for their briefing.

**Agreed:** The Committee noted the process for application includes statutory time limits for all consenting and regulatory steps. The Committee agreed to write to the Department to request further information on providing resources and the expert knowledge required to support these very complex applications.

***Ms Áine Murphy MLA left the meeting at 11.12 am***

***Ms Áine Murphy MLA re-joined the meeting at 11.26 am***

***Mr William Irwin MLA left the meeting at 11.21 am***

***Mr William Irwin MLA re-joined the meeting at 11.23 am***

***Ms Nicola Brogan MLA left the meeting at 11.27 am***

***Mr Declan McAleer MLA left the meeting at 11.31 am***

***Mr John Blair MLA left the meeting at 11.38 am***

***Mr John Blair MLA re-joined the meeting at 11.44 am***

***Mr William Irwin MLA left the meeting at 11.38 am***

***Mr William Irwin MLA re-joined the meeting at 11.41 am***

***The Channel Wind Project Official left the meeting at 11.50 am***

***The meeting was suspended at 11.50 am***

***The meeting was re-convened at 11.57 am***

## **7. Oral Briefing from RalSe – Rural Policy and Delivery in Northern Ireland**

The Committee considered the research paper ‘Rural Policy and Delivery in Northern Ireland’, which was commissioned by the Committee after its planning day on 25 April 2024 as one of its focus topics.

The Chair welcome the following to the meeting:

- Mr Mark Allen, Research Officer; and
- Ms Suzie Cave, Research Officer.

There followed a discussion on the paper and how to take this matter forward.

The Committee noted they will be visiting Loughry College, CAFRE in November and will meet with Rural Development Groups regarding the implementation of the 2016 Rural Needs Act and the future of rural development funding.

The Committee thanked the RalSe Officials for their briefing.

**Agreed:** The Committee agreed, in preparation for their visit to Loughry College, to request a full briefing from the Department on the responsibilities of the new Rural Policy Unit and how/if it plans to review the 2016 Rural Needs Act.

***Mr Tom Buchanan MLA left the meeting at 12.13 pm***

***Mr Tom Buchanan MLA re-joined the meeting at 12.15 pm***

***Mr William Irwin MLA left the meeting at 12.13 pm***

***Ms Áine Murphy MLA left the meeting at 12.34 pm***

***The RalSe Officials left the meeting at 12.30 am***

## **8. Departmental Written Briefing - SR 2024/171 HOPS Certification (Amendment) Regulations (Northern Ireland) 2024**

The Committee noted the following papers:

- SR 2024/171 The Hops Certification (Amendment) Regulations (Northern Ireland) 2024; and

- SL1 - The Hops Certification (Amendment) Regulations (Northern Ireland) 2024.

The Chair highlighted that the Committee had a further oral briefing from the Department at last week's meeting in considering the SL1 HOPS Certification (Amendment) Regulations (Northern Ireland) 2024.

The Officials had outlined how these Regulations amend the Hops Certification Regulations 1979 as they apply in Northern Ireland, primarily to maintain enforcement powers for updated EU rules on hops certification and imports from third countries which are directly applicable here under the Windsor Framework.

The Chair put the motion to the Committee:

'The Committee for Agriculture, Environment and Rural Affairs has considered SR 2024/171 Hops Certification (Amendment) Regulations (Northern Ireland) 2024', pending the report by the Examiner of Statutory Rules, and has no objection to the rule?'

The Committee was divided on the rule a – a quorum of five was present and a vote was taken. The Committee divided: AYES 2 : NOES 3.

Ayes: John Blair MLA, Patsy McGlone MLA

Noes: Lord Elliott MLA, Michelle McIlveen MLA, Tom Buchanan MLA

*The Motion Fell.*

**Agreed:** The majority of the Committee Members present agreed to put down a prayer of annulment in the Business Office regarding the Statutory Rule 2024/171 'Hops Certification (Amendment) Regulations (Northern Ireland) 2024'. This will be debated in due course in the Assembly.

## 9. Departmental Written Briefing – Common Frameworks

The Committee noted the following papers from the Department:

- Letter from the Department – Update on Common Frameworks; and
- DAERA Common Frameworks.



The Committee noted the purpose of the briefing is to provide an update on the 15 Common Frameworks for which DAERA is the NICS lead.

The Committee noted Common Frameworks (CFs) are voluntary agreements between the UK Government and the devolved administrations to manage divergence and agree common approaches. They have all been operating on a provisional basis since the end of the transition period.

The Committee noted of the fifteen Common Frameworks, for which DAERA is the lead department, the previous AERA Committee scrutinised nine in total, leaving the following six Common Frameworks (of which the Zootechnical Common Framework and Concordat is the only one that remains unpublished):

- Air Quality
- BAT Emissions (Integrated pollution prevention and control: developing and setting of Best Available Techniques)
- UK Emissions Trading Scheme (ETS)
- Ozone Depleting Substances & F-Gases
- Resources & Waste
- Zootechnical Common Framework and Concordat (Zootechnics)

The Committee considered its next steps and agreed to arrange a briefing from the relevant departmental officials on the six remaining Common Frameworks. This will then help identify any issues and to decide a way forward.

**Agreed:** The Committee agreed to factor in to the forward work programme briefings from the Department on each of the six outstanding Common Frameworks.

## **10. Departmental Written Briefing – Launch of Phase 2 SBRI on Sustainable Utilisation of Livestock.**

The Committee noted the written briefing paper regarding progress on Small Business Research Initiative SBRI has been postponed for the second time by the Department and will not be considered today. There has been a delay in the announcement of the successful suppliers for the SULS Phase 2 competition.

## **11. Correspondence**

The Committee considered correspondence, dated 19 September, from Richard Cummings, Agri Development Manager, Ready Egg. He shared his and wider industry concerns about the view of NIEA on the subject of betterment on existing farms, specifically poultry units.

Stakeholders met with the Minister and senior NIEA Officials to discuss the new ammonia policy. He cited his example of wishing to modernise poultry housing, which would reduce ammonia emissions by 30% but under the new policy this would not attain planning permission.

Mr Cummings has also extended an invitation to the Committee to visit their site in Lisnaskea.

**Agreed:** The Committee agreed to write to Mr Cummings to ask at what stage is his planning application.

**Agreed:** The Committee agreed to find out from CAMS, if there would be any procedural issue in visiting private companies which have live planning applications.

The Committee considered an invitation, dated 19 September, from Simon Hamilton, MD & Co Founder of Confluence Consulting - to an event in Room 115 on 15 October to launch the report 'Enabling a Greener Energy Future: Unlocking NI Bio Methane Potential'.

**Agreed:** Members noted the event for their diaries.

The Committee considered correspondence dated 18 September and 20 September, from a member of the public regarding complaints made against Minister Muir.

The Committee noted that it is not within remit of Committee to address individual cases nor to address complaints about Ministers.

**Agreed:** The Committee agreed to write to the individual and forward the address of the Assembly Commissioner for Standards, whose remit does include complaints about the conduct of Members of the Assembly and also of Ministers.

**Agreed:** The Committee agreed to copy the email and its letter to Committee for Standards and Privileges, as it mentions that Committee.

The Committee considered correspondence, dated 19 September, from the Department regarding 'Timing of Free Allocation Rule Changes for 2nd Allocation Period of the First Phase of the UK ETS'.

**Agreed:** The Committee noted the correspondence.

The Committee considered correspondence, dated 19 September, from the Department, regarding the Statutory Instrument (SI) – 'Laying of the Draft Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2024'.

The Minister has given consent for the SI to be laid before the Assembly under the Affirmative Resolution procedure. It is being laid simultaneously before each House of Parliament, NI Assembly, Scottish Parliament and Senedd Cymru under Paragraph 11 of Schedule 3 to the Climate Change Act 2008 as an Order in Council for approval in each of the respective legislatures, before proceeding to His Majesty's Privy Council to make the Order.

The Government Response to the penalties mini consultation and a copy of the draft SI and accompanying Explanatory Memorandum will be provided to the Committee as soon as they are available.

**Agreed:** The Committee noted the correspondence on the SI.

***Mr John Blair MLA left the meeting at 12.39 pm***

The Committee considered correspondence, dated 20 September, from the Clerk to the Finance Committee, regarding a memo that Committee had received from the Audit Committee dated 10 September on 'Outturn and Forecast Outturn Data' (covering June and July 2024).

The Committee noted the public spending issues and that Departments were asked to provide explanations for variances in forecast outturn between the June and July returns. The correspondence included these reasons in Annex K & L of the paper.

**Agreed:** The Committee noted the correspondence.

The Committee considered correspondence, dated 20 September, from the Clerk to the Finance Committee, regarding the work of the interim Public Sector Transformation Board. In total, there are 29 proposals. A breakdown of the proposals is enclosed in the correspondence.

**Agreed:** The Committee noted the correspondence at this stage.

The Committee considered correspondence, dated 20 September, from the Clerk to the Finance Committee, regarding the 'Financial Provisions Bill'. The Bill will bring forward a number of legislative changes to reconcile several routine financial matters.

The Committee noted the Committee of Finance received an oral briefing on 18 September from the Department of Finance. Officials were unable to provide a definite time for Introduction of the Bill, but when it does pass Second Stage in the Assembly, it will be referred to the Finance Committee which will lead to Committee Stage scrutiny. At that time, each Committee will be asked for comment on those provisions applicable to the remit of its Department.

**Agreed:** The Committee agreed to note at this stage and that they will be informed as the Bill progresses.

The Committee noted correspondence from a Chemistry teacher in St Colman's College, Newry regarding two students who are currently doing research on sustainable methods to remove phosphates from water to help reduce blue-green algae in Lough Neagh. The students are keen to discuss the research with the Committee.

**Agreed:** The Committee noted the correspondence and agreed to add to the list for an informal briefing.

The Committee considered correspondence from the Department dated 24 September, regarding consultation on 'Seabirds and Elasmobranch' which has now commenced. The Department issued an apology on not informing the Committee before publishing.

**Agreed:** The Committee noted the consultation and that the Department will keep the Committee updated in due course.

## **12. Draft Forward Work Programme**

The Committee noted the 'Rethinking our Resources' briefing on consultation responses will now need to be moved from the 24th October forward by at least 4 weeks due to a high volume of evidence submitted.

**Agreed:** The Committee agreed this briefing will be moved to the end of November.

The Committee noted that the public Agenda for the meeting on 3 October at next week's meeting would be limited as there would be a private session for Effective Questioning.

**Agreed:** The Committee agreed the draft Forward Work Programme for publishing.

## **13. Any Other Business**

None

## **14. Date and Time of Next Meeting**

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 3 October, at 10.00 am in Parliament Buildings, Room 21**

***The Meeting adjourned at 12.44 pm***

**Signature:** .....

**Declan McAleer, Deputy Chairperson**

**Dated** .....