



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

27 February 2025

Parliament Buildings, Room 21

Present: Robbie Butler MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
Tom Buchanan MLA
William Irwin MLA
Michelle McIlveen MLA
Patsy McGlone MLA

Via Zoom: Aoife Finnegan MLA
Áine Murphy MLA

Apologies: John Blair 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 10.15am

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

John Blair MLA

2. Chairperson's Business

The Chair referred to notification of the House of Commons Business and Trade Committee's visit to Belfast on 11-12 March and that the Committee wish to meet informally with Members of the AERA and Economy Committees to discuss UK-EU trade and the Windsor Framework.

The Chair noted that the Economy Committee are meeting the House of Commons Business and Trade Committee on Tuesday 11th March and sought the agreement of the Committee to join that meeting.

Agreed: The Committee agreed to join the informal meeting.

The Chair noted that the Economy Committee has planned to hear from Fibrus on Wednesday 5 March regarding post-storm scrutiny.

The Chair sought Committee agreement to meet concurrently with the Economy Committee for that evidence session in the Senate Chamber to be Chaired by the Chair of the Economy Committee.

Agreed: The Committee agreed to meet concurrently with the Economy Committee.

The Chair referred to an email regarding a correction to the presentation given by the general manager of the Mushroom Producer Organisation at the meeting of 20 February.

Agreed: The Committee noted the correction.

The Chair referred to the draft note of the informal session on MS Teams on 20 February with the Chair of the UK Government Migration Advisor Committee (MAC), focusing on the MAC Report (July 2024) on the Review of the Seasonal Workers Visa held.

Agreed: The Committee agreed to publish the note of the meeting on its website.

Agreed: The Committee agreed to write to Professor Bell to express its view that Northern Ireland is in unique situation in sharing a land border with an EU Member State and that did not seem to have been adequately taken on board in the MAC report.

3. Minutes

Minutes of 20th February 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 19 February, regarding The Waste (Materials Facilities) Regulations (Northern Ireland) 2025 and general handling of SL1s and SRs.

The response stated that the Department appreciated the Committees' flexibility in considering the SL1 and SR at the same meeting due to the oversight and is aware

of the Committee's important scrutiny role and will endeavour to allow for more time between SL1 and SR stage.

Agreed: The Committee agreed to note the response.

4.2 The Committee considered the response from the Department, dated 19 February, regarding ISNI Delivery Tracking System – Investing Activity Report – Construction Projects.

The Chair reminded the Committee of its queries and highlighted the relevant parts of the response.

The response listed the factors that dictate the construction project timelines for construction at Greenmount and Loughry, including the scale and complexity of the buildings and the campuses remaining open during the three phases of the construction.

The response also stated that the Construction and Procurement Delivery's Construction team believed that there are at least seven contractors with the capacity and expertise to undertake this work and that CPD performs the role of service manager for the project at both campuses.

The Committee noted that the response stated that the timelines are based on projects of a comparable scale that CPD and the ICT have managed in the past - and are in line with industry standards.

The Committee expressed concern at the limited content of the Department's response and that it lacked specific details on the mitigating measures to control the cost and timelines of projects.

The Committee also expressed concern that there may be a lack of expertise within the Department to deal with large scale projects.

Agreed: The Committee agreed to write to the Department to highlight its concerns regarding the lack of details on the mitigating measures to control costs and timelines and seeking clarity at the level of expertise amongst departmental staff to challenge external consultants.

Agreed: The Committee requested to receive updates at suitable junctures on the ongoing Greenmount and Loughry projects.

4.3 The Committee considered correspondence from the Department, dated 19 February, regarding evidence from the Northern Ireland Mushroom Growers Association (NIMGA) in relation to the Horticultural Pilot Schemes.

The Committee noted that the Scheme consists of three elements-**Sustainable Sector Growth Groups (SSGG)**; the **Innovation Driver and Support pilot scheme** that aims to de-risk investment; and The **New Growers Academy**, which provides support for new entrants into the horticulture sector.

The Committee noted that the response stated that whilst the Schemes do not meet all of the requirements requested by the mushroom industry, this does not mean that none of its elements will be of benefit to them. However, the Committee noted that it appears contradictory that the Department then highlighted in each scheme why they are unlikely to be of interest or use to the mushroom sector.

Agreed: The Committee noted the response and agreed to forward it to NIMGA.

4.4 The Committee considered correspondence from the Department, dated 21 February, in relation to the Avian Influenza (AI) Outbreak Update at a Captive Bird Premises in Magherafelt and a Commercial Poultry Premises in Dungannon.

The Committee noted this was an advance written briefing as Officials will be providing an oral update at the Committee meeting on 6 March.

The Committee noted that the briefing provided an update on the measures taken to date by the Department to manage and control the spread of the outbreak and to raise public awareness.

Agreed: The Committee agreed to note the update and await the oral briefing at the meeting on 6 March.

4.5 The Committee considered the Ministerial Written Statement, dated 24 February, regarding: Update on Avian Influenza (AI) Outbreak in Northern Ireland.

The Committee noted that the Statement outlines the actions taken by the Department and that in addition to the previous incidents, preliminary results from AFBI have indicated the presence of AI at a further commercial poultry premises near Pomeroy, County Tyrone.

Agreed: The Committee agreed to note the statement and await the oral briefing at the meeting on 6 March.

The Departmental Officials joined the meeting at 10.16am

William Irwin MLA joined the meeting at 10.30am

5. SI - The Greenhouse Gas Emissions Trading Scheme (Amendment) (No2) Order 2025 - Briefing from the Department

This item was recorded by Hansard

The following Officials briefed the Committee:

- Mr Richard Coey, Head of Emissions Trading Policy, DAERA
- Ms Anna McMahon, Deputy Principal- Emissions Trading, DAERA

The Committee noted the purpose of the Order, which is subject to the negative resolution procedure, is to allow the making of several technical and operational amendments to the Greenhouse Gas Emissions Trading Scheme Order 2020:

It creates a requirement for the publication of the full history of completed transactions between registry accounts;

1. It enables a national authority to disclose information where necessary (for the purposes of developing and implementing policy objectives related to those of the UK ETS, or for the purposes of supporting the Climate Change Committee in carrying out its statutory functions); and,
2. It extends the eligibility period for Ultra-Small Emitter status to include operators who began operations between January 2021 to January 2024.

A question and answer session followed the briefing.

The Committee heard that the SI makes amendments to the legislation which gives effect to the ETS which incentivises decarbonisation by requiring operators to purchase allowances based on carbon emissions.

The Chair thanked the representatives for the briefing.

Agreed: The Committee agreed that the Department proceeds to make the SI.

Agreed: The Committee agreed to write to the Department requesting what type of information would be disclosed under the Order which would not be available under either FOI or The Environmental Information Regulations 2004 and an explanation as to why the Department finds it necessary to include this.

The Departmental Officials left the meeting at 10.47am

The Departmental Officials joined the meeting at 10.48am

6. Oral Briefing from The Department - The Suckler Cow Scheme

This item was recorded by Hansard

The Committee noted that the policy briefing is in advance of the required SL1 on the Suckler Cow Scheme that is planned for introduction on 1 April 2025 and forms part of the Beef Sustainability Package, of the Sustainable Agriculture Programme.

The Committee noted the Department intends to bring forward the SL1 (and draft SR) for Committee scrutiny at its meeting on 6 March.

The following Officials briefed the Committee:

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

The Committee heard that Northern Ireland will be unique within the UK and Ireland of introducing a scheme that provides a financial incentive based around calving events where there is a reduction in the age of calving.

The Committee also heard that events to raise awareness of the scheme have been run by CAFRE and have been well received by participants.

The Committee expressed support for the Scheme and were assured that the £18m the Department has allocated to it is sufficient to facilitate the delivery of the scheme.

The Chair thanked the representatives for the briefing.

Agreed: The Committee agreed to note the briefing.

The Departmental Officials left the meeting at 11.13 am

The Departmental Officials joined the meeting at 11.14 am

7.SL1 The Waste (Materials Facilities) Regulations (Northern Ireland) 2025

This item was recorded by Hansard

The Committee noted on 12 September it considered the consultation on draft legislation and a draft code of practice for Materials Facilities sites (MFs) in Northern Ireland and on 23 January it considered a written briefing regarding the Departmental Response to the consultation and agreed to request an oral briefing when the SL1 was received.

The Committee heard that due to an oversight the Department omitted to submit the SL1 letter to the Committee before laying the SR in the Business Office.

The Committee agreed that, in this instance, it would receive an oral briefing on the content of the SL1 and also consider the SR at the same meeting.

The following Departmental Officials briefed the Committee:

- Karl Beattie Assistant Director of Environmental Resources Policy Division
- Laurence McCann, Extended Producer Responsibility 1 Team

The Officials apologised for the procedural error regarding the SL1.

The Committee heard that the SR required to bring into effect the sampling and reporting of Material Facilities sites in Northern Ireland into line with the rest of the UK and is due to come into operation on 1 April.

The Committee queried if the MFs impacted were prepared for the introduction of the legislation. The Officials confirmed that MFs were consulted on the code of practice in September and the guidance will be published on the DAREA website soon.

A question and answer session then followed.

The Committee thanked the Officials for the briefing.

Agreed: The Committee considered SR 2025/18 The Waste (Materials Facilities) Regulations (Northern Ireland) 2025 and had no objection to the rule.

The Departmental Officials left the meeting at 11.28 am

The meeting was suspended at 11.29am

The meeting resumed at 11.47am

8.Budget 2025- 2026- Draft response to the Committee for Finance

The Committee considered the following paper:

- Budget 2025- 2026 - Committee draft response to the Committee for Finance

The Committee noted that the Finance Committee is seeking, by 28 February, all Committee's views on their Department's draft 2025-26 Budget.

Agreed: The Committee agreed the draft response as final and for it to be forwarded to the Committee for Finance.

9.Departmental Written Briefing - Launch of Public Consultation on the Third Northern Ireland Climate Change Adaptation Programme (NICCAP3)

The Committee considered the following paper:

- Launch of Public Consultation on the Third Northern Ireland Climate Change Adaptation Programme (NICCAP3).

The Committee noted that it was provided with a written update on the development of NICCAP3 on 24 October 2024 and the NICCAP2 End of Programme Report has now been published.

The Committee noted the Department is seeking Executive approval to launch an 8-week public consultation on the NICCAP3 draft programme which contains over 230 proposed policies and proposals in response to the Third UK Climate Change Risk Assessment within its 'Adaptation Delivery Plan'.

The Committee noted that both the Environmental Improvement Plan and the DAERA Business Plan 2024/25 have a target date for publication of the NICCAP3 by 31 March, but it will not be possible to meet these targets before the consultation is complete. However, the Department recognises the importance of consultation and prior to its launch, it will share copies of the draft NICCAP3, and the associated consultation document with the Committee.

Agreed: The Committee agreed to note the written briefing.

10. Departmental Written Briefing - Northern Ireland Environment Agency Planning Update

The Committee considered the following paper:

- Northern Ireland Environment Agency Planning Update.

The Committee noted that it had considered this matter on 24 October when NIEA officials briefed it on its Business Plan 2024-25 and on ammonia-related planning consultations; and on 16 January when members requested this further written briefing on the NIEA planning backlog.

The Committee noted on the current overall planning position the NIEA backlog currently sits at approximately 287 outstanding consultations requiring advice, with 26 of these relating to agricultural development.

The Committee noted that up to 31 January 2025, 64% of statutory consultations were responded to within statutory timeframes compared with 72% in 2024 but that improvements have been made against response times - reducing from 25 days in 2023/24 to 22 days in 2024/25.

The Committee also noted the current agri caseload planning position is 33 agricultural consultations with 26 being in a backlog and 7 cases still within the 21-day statutory target.

The Committee also noted ongoing challenges and these include:

- NIEA staff involvement in preparations for the Dalradian Public Inquiry;
- challenges associated with both major/renewable energy consultations and with agriculture development; and
- Improvements are needed in the quality of information in applications being submitted.

The Committee noted the challenges for NIEA and also the plans to reduce the backlog and improve and stabilise the planning consultation process; including the recruitment of additional planning staff; a Review of internal processes and the development of an updated NIEAPC database for internal processing of applications; and the development of step by step planning guidance to assist applicants.

The Committee noted that it expects to receive the draft guidance for comment by 30 April 2025.

Agreed: The Committee agreed to write to the Department to convey its frustration in relation to recruitment timelines and the impact this has on progress of applications.

Agreed: The Committee agreed to request details on the review of internal processes and the development of an updated NIEAPC database for processing of applications and if it will categorise applications to avoid delays in dealing with more minor issues.

Agreed: The Committee agreed to consider the draft step by step guidance for applicants when received.

11. Departmental Written Briefing Northern Ireland Environment Agency Wastewater Capacity

The Committee considered the following paper:

- Northern Ireland Environment Agency Wastewater Capacity.

The Committee noted that the written briefing was in connection to an oral briefing to be given to the Committee for Infrastructure on 5 March but also issued to AERA Committee, given its responsibilities and primacy regarding NIEA's responsibilities.

The Committee discussed the areas covered written briefing, including the Water Stakeholders Partnership Agreement; enforcement action against NI Water; sewer blockages caused by misuse of the public sewerage systems; dry spilling and unsatisfactory intermittent discharges and the SORPI 2007

Agreed: The Committee agreed to write to the Department to enquire how effectively The Water Stakeholders Partnership Agreement is in meeting its common objective

Agreed: The Committee agreed to write to the Department to enquire about the effectiveness of fines in preventing future incidents and details of legal fees accumulated by the Department since 2007 and if they are recovered as part of the court process.

Agreed: The Committee agreed to write to the Department for details on the sewer network blockages caused by misuse of the public sewerage system and what ratio of these are domestic or non-domestic.

12. Correspondence

The Committee considered correspondence, dated 19 February, from the Office for Environmental Protection (OEP) regarding: The OEP Survey - understanding your perceptions of the impact of the OEP.

Agreed: The Committee agreed to note the correspondence.

The Committee considered correspondence from the Department to the Ulster Beekeepers Association (UBKA) dated 14 February, regarding an FOI request: Inspectors that have been trained in handling bees, as well as number of inspections carried out on bees, over the past 5 years.

The response stated that the Department does not employ dedicated bee inspectors and the number of Plant Health Inspectors in post trained in bee inspections fell from 3.5 to 2 from 2024 onwards but that recruitment competitions have been launched to recruit additional inspectors, from which appointments may be available to undertake plant health duties from March onwards.

Agreed: The Committee agreed to note the correspondence.

The Committee considered correspondence from the Minister, dated 21 February regarding the Environment Food and Rural Affairs (EFRA) Interministerial Group attended by him on 27 January. Amongst the topics discussed were:

- The latest work of the UK Government Circular Economy Taskforce;
- Bovine electronic identification;
- The role of involving the devolved governments in potential negotiations on developing a UK-EU sanitary and phytosanitary agreement; and
- An update on the development of a UK Government Food Strategy.

The Committee noted a communique about the meeting has been published on the DAERA website.

Agreed: The Committee agreed to note the correspondence.

The Committee considered the 33rd Report of the Examiner of Statutory Rules dated 21 February 2025. It covered:

SR 2025/18: The Waste (Materials Facilities) Regulations (Northern Ireland) 2025 and

SR 2025/26: The Farm Sustainability Payments to Farmers (Amendment) Regulations (Northern Ireland) 2025

The Committee noted that the SRs have not been drawn to the special attention of the Assembly.

Agreed: The Committee agreed to note the report.

The Committee considered a Clerks Memo from the Clerk to the Committee for Finance, dated 21 February, regarding its response from the Department of Finance (DoF) on Employer National Insurance costs and funding, including the estimated cost to DAERA of £4.3m.

Agreed: The Committee agreed to note the memo.

The Committee considered the Investment Strategy Northern Ireland [ISNI] Delivery Tracking System (DTS) - investing activity report, DAERA, dated 23 February. The Committee noted that the report is a summary of the projects and investing activities which have been entered on the DTS by NICS departments and their agencies.

Agreed: The Committee agreed to note the report.

The Committee considered a report from Institute of International and European Affairs titled: From Policy to Pasture: From Policy to Pasture: Bridging the Gap Between Climate Targets and Irish Agricultural Realities.

The Committee noted the aim of the report is to provide an overview of the state of play on current agricultural emission trends in the Republic of Ireland against national and EU targets.

Agreed: The Committee agreed to note the report.

The Committee considered an email, dated 24 February, from an individual regarding an allegation of released River Ridge landfill gas in the Limavady and Coleraine area at the weekend.

Agreed: The Committee agreed to note the correspondence.

13. Forward Work Programme

The Committee considered the draft Forward Work Programme up to 10th April.

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

14. Any Other Business

15. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on
Thursday 6 March at 10.00am in Parliament Buildings, Room 21

The Meeting adjourned at 12.09pm

Signature:

Robbie Butler MLA, Chairperson

Dated