



Northern Ireland  
Assembly

## Agriculture, Environment and Rural Affairs Committee

### Minutes of Proceedings

23 January 2025

Parliament Buildings, Room 21

**Present:**

Robbie Butler MLA (Chairperson)  
Declan McAleer MLA (Deputy Chairperson)  
John Blair MLA  
William Irwin MLA  
Patsy McGlone MLA  
Tom Buchanan MLA

**Present by Video or Teleconference:**

Áine Murphy MLA  
Nicola Brogan MLA

**Apologies:** Michelle McIlveen MLA

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

***The Meeting Opened in Public Session at 10.06 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:**

Michelle McIlveen MLA

**2. Chairperson's Business**

The Chair advised that the Ulster Farmers Union (UFU) declined its invitation to brief the Committee on the Agriculture Bill.

The Chair read a statement by the UFU detailing their reasons for not briefing the Committee, including that the UFU Vegetable and Apple committee believes the FVA Scheme (PO's) is not relevant to the size and scale in Northern Ireland and do not see how either of the sectors could fit within the model under the current proposals. the UFU understands that the Mushroom industry fits the PO model and needs the structure with some revisions to the rules and the UFU support the mushroom sector in that regard.

However, the UFU stated they are open to having further discussions with the DAERA and the AERA Committee in the future to explain further about the support that the vegetable and apple sectors urgently need.

**Agreed:** The Committee expressed gratitude to the UFU for providing the statement and agreed that it would be included in the Committee Report on the Agriculture Bill.

The Chair referred to the Clerk's Memo summarising an informal meeting the Chair and Deputy Chair had with the Minister and Officials last week.

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

### 3. Minutes

The Chair noted that a Member wished for a further comment on animal welfare to be added concerning the discussions on SR 2024/211 The Direct Payments to Farmers (Cross-Compliance) (Amendment) Regulations (Northern Ireland) 2024.

**Agreed:** The Committee agreed the amendment.

Minutes of the 16 January were agreed and signed by the Chair to be published.

**Agreed:** The minutes were agreed.

### 4. Matters Arising

**4.1** The Committee considered correspondence from the Department, dated 21 January, regarding an Update on the UK Employment Rights Bill – Abolition of the Gangmaster and Labour Abuse Authority.

The Committee noted it was an update following the letter from the Department, dated 13 November, which the Committee noted at its meeting of 19 November. The Committee noted the update relates 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 for Business and Trade.

The Committee noted that The Minister has agreed to the extension of these powers to Northern Ireland, which will require a Legislative Consent Motion (LCM) to be brought to the Assembly.

The Committee noted that the Department for Communities (DfC), the Department of Finance (DoF) and the Department for the Economy (DfE) are also within scope of the Bill and that the DfC will now be leading on the LCM.

The Committee noted that the Minister is seeking an amendment on Schedule 4 of the Bill

as it does not contain any provision to require approval from the NI Executive in the event that the Secretary of State should choose to amend relevant labour market legislation. Minister Muir has indicated that he is content to support an LCM subject to the Bill being amended to address this issue.

**Agreed:** The Committee agreed to seek an oral briefing from DAERA officials on this matter in due course.

**4.2** The Committee considered correspondence from the Farmers for Action/NI Farm Groups, dated 20 January, responding to the DEFRA letter of 14 January regarding proposed Fair Dealings Regulations.

The Committee noted that the FFA believes that what DEFRA is proposing is “more of the same” from the UK Government. FFA does not believe that using the Powers in the Agriculture Act (2020) will result in Fair Dealing for farmers and see nothing in the DEFRA proposals that will solve the financial crisis with farm gate prices in the industry across the UK.

**Agreed:** The Committee agreed to wait until a response from the Minister is received with regard to his input into the DEFRA Fair Dealings Reviews and proposed Regulations and then return to the matter for further discussion.

***The Departmental Officials joined the meeting at 10.07 am***

## **5. Oral Briefing from the Department - SL1 - The Animals (Identification, Records, Movement and Enforcement) (Amendment) Regulations (Northern Ireland) 2025**

***This item on the Agenda was recorded by Hansard***

The Committee considered the following papers:

- SL1 - The Animals (Identification, Records, Movement and Enforcement) (Amendment) Regulations (Northern Ireland) 2025 and explanatory papers.

The Committee heard that the Department intends to make a Statutory Rule (SR), which will ensure that secondary legislation relating to cattle, sheep and goat identification, registration and movement (IRM) is operable and provides a legally enforceable IRM system -by updating references to repealed EU instruments in domestic legislation and inserting a reference to the equivalent Animal Health Law (AHL) provision (or to delegated or implementing legislation made under AHL).

The Committee noted that that the SR will be laid before the Assembly under the negative procedure and it had been anticipated that it would come into operation before the end of January.

The following Departmental Officials briefed the Committee:

- Neal Gartland, Director Animal Health and Welfare Policy;
- Christopher Andrews, Deputy Director Animal Health and Welfare Policy;
- Darrin Fullerton, Head of BVD;
- Niall McAuley, Divisional Veterinary Officer.

There then followed a question and answer session on the proposed SR and Committee Members expressed a range of views. It was noted that it is only the most severe cases of non-compliance with IRM that would be referred to the PPS for potential prosecution. The Committee supported the need for robust farm to fork traceability but there were concerns expressed by some Members regarding a degree of divergence from the rest of the UK as the AHL is listed in Annex 2 to the Windsor Framework. The Committee noted since 2021, DAERA has not been able to take forward any such cases for prosecution but that on laying of the SR the Department will now bring back legal certainty and be able to utilise the Department's intelligence on habitual offenders and take forward prosecutions.

The Committee were divided in support that the Department proceeds to make the SR and a vote was taken:

The Committee divided: AYES 5: NOES 0: ABSTAIN 3

Ayes: John Blair MLA, Áine Murphy MLA (via Zoom), Nicola Brogan MLA (via Zoom), Declan McAleer MLA, Patsy McGlone MLA

Abstain: Robbie Butler MLA, William Irwin MLA, Tom Buchanan MLA

**Agreed:** The majority of the Committee Members present agreed that the Department proceeds to make the SR The Animals (Identification, Records, Movement and Enforcement) (Amendment) Regulations (Northern Ireland) 2025.

**Agreed:** The Committee agreed to write to the Department to ask how many potential offenders were identified over the past few years but were unable to face potential prosecution in the absence of the enforcement powers.

The Committee thanked the Officials for the briefing.

*Aine Murphy joined the meeting via Zoom at 11.10am*

***The Departmental Officials left the meeting at 11.25 am***

***The meeting was suspended at 11.25am***

***The meeting reconvened at 11.38am***

***The Departmental Officials joined the meeting at 11.38 am***

**6 Oral briefing from the Department - SL1 The Waste (Fees And Charges) (Amendment) Regulations (Northern Ireland) 2025**

***This item on the Agenda was recorded by Hansard.***

The Committee considered the following papers:

- SL1 The Waste (Fees And Charges) (Amendment) Regulations (Northern Ireland) 2025

The Committee noted that the Department intends to make a Statutory Rule (SR) to bring into effect the annual uplift to the Northern Ireland Environment Agency (NIEA) Waste Charging Scheme for 2024-2025.

The Committee noted that the SR will be laid before the Assembly under the draft affirmative resolution procedure, and it is anticipated that it will come into operation in January 2025, or as soon as possible thereafter.

The Committee noted that the NIEA recovers 100% of its costs in relation to its functions as the regulator of waste activities in Northern Ireland largely through receipt of fees and charges.

The following Departmental Officials briefed the Committee:

- Mr Colin Breen, Assistant Director ERPD

- Mrs Carmel McDowell, Head of Branch Waste Legislation

There then followed a question and answer session.

**Agreed:** The Committee agreed that the Department proceeds to make the SR The Waste (Fees And Charges) (Amendment) Regulations (Northern Ireland) 2025.

The Committee thanked the Officials for the briefing

***The Departmental Officials left the meeting at 11.45am***

#### **8. Agriculture Bill – Clerks Memo: Agriculture Bill Research Paper - Potential Issues and Questions for Consideration**

The Committee considered the draft Committee press release concerning the Committee's 'Call for Views' on Citizen Space.

**Agreed:** The Committee agreed for the press release to be published.

The Committee considered the following memo:

- Agriculture Bill Research Paper – Potential Issues and Questions for Consideration

The Memo summarised the queries highlighted in the RaISe Bill Research Paper and by Members at the meeting of 16 January.

**Agreed:** The Committee agreed to write to the Department seeking a response to the queries highlighted in the RaISe Bill Research Paper and by the Committee.

#### **9. Departmental Written Briefing: The Departmental Response to the consultation on amending legislation and the introduction of a code of practice for Materials Facilities sites in Northern Ireland.**

The Committee considered the following paper:

- The Departmental Response to the consultation on amending legislation and the introduction of a code of practice for Materials Facilities sites in Northern Ireland.

At the meeting on 12 September the Committee considered and noted the consultation on draft legislation and a draft code of practice for Materials Facilities sites (MFs) in Northern Ireland.

The Committee noted that the Department is now intending to publish a response to the consultation and

that the consultation invited feedback from stakeholders on questions covering areas such as; the draft legislation, the draft Code, and the new proposed charges to MFs. The paper highlighted that Northern Ireland legislation and sampling processes are currently behind that of England, Scotland and Wales and that aligning with their most recent changes through the Code will provide UK parity.

The Committee noted that legislation is required to implement the Code in Northern Ireland. Specifically, it is intended to amend the Waste Management Licensing Regulations (Northern Ireland) 2003, and the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 to define a MF, and place an obligation on any MF who holds a waste license or permit to comply with the Code.

The Committee noted that the SR will be made using the negative procedure and that the draft SR (The Materials Facilities Code (Northern Ireland) Regulations 2025) has been consulted upon.

**Agreed:** The Committee considered the Written Briefing and agreed to request an oral briefing from Departmental Officials when the SL1 is before them.

***William Irwin MLA left the meeting at 11.57am***

***William Irwin MLA re-joined the meeting at 12.00pm***



## 10. Correspondence

The Committee considered correspondence from the Windsor Framework Democratic Scrutiny Committee (DSC), dated 10 January, regarding a Proposed EU Regulation regarding strengthening the position of farmers in the food supply chain.

The Committee noted that at its meeting last week it considered a response from DEFRA, dated 14 January, advising the Committee that the UK Government are considering similar matters through a series of sectoral reviews and are consulting with the Devolved Governments.

The Committee noted that on 2 January 2025, the DSC was notified by the UK Government in relation to the proposals to amend a series of existing EU regulations related to the Common Agricultural Policy, including one EU Act - Regulation (EU) 1308/2013 - which is relevant to the work of the DSC. The DSC noted that the wider impact of this proposed EU act may be of interest to the work of the Committee.

**Agreed:** The Committee agreed to note the correspondence.

The Committee considered the invitation that was emailed to them earlier in the week by the Committee Team from The Safeguarding Board For Northern Ireland to a conference entitled: A system to Support our people-Embedding a Trauma Informed Approach taking place at The Stormont Hotel on 23 January.

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

The Committee considered correspondence from Paul Crawford of the Northern Ireland Sheep Scab Group, dated 12 December, and the report: A study of sheep scab in Northern Ireland including detection and identifying barriers to control.

The Chair highlighted a number of main points from the Report and that Sheep scab is a notifiable disease in Northern Ireland and is caused by an allergic reaction to a faecal antigen produced by a highly infectious, surface-living mite.


The Committee noted that the Report was regarding a one year research pilot project to gather evidence about the disease in NI and barriers to its better control and also to inform future control programmes.

The Committee noted that the Report states that Sheep Scab was identified across NI with heavy infestations in some areas, which would continue if not dealt with in a coordinated manner and that some of the limited number of treatments authorised for the condition were failing to cure scab in some flocks.

The research revealed that farmers recommended a national version and would be content to part-fund such work alongside state support.

The Committee noted that Mr Crawford believes that Northern Ireland's sheep and farmers have been left behind and that in England and Scotland major regional programmes have been undertaken or are ongoing and that the Sheep Industry is ready to step up to take scab control forward, but it requires political intervention.

The Committee noted that Mr Crawford is content to brief the Committee.

Commented [thompsonj1]: ? Do you mean Mr Crawford  


**Agreed:** The Committee agreed to arrange a briefing with Mr Crawford at a date to be agreed.

**Agreed:** The Committee agreed to forward the letter and research to the Department for a response after it had received the briefing from Mr Crawford.

The Committee considered an invitation at from the Dairy Council of Northern Ireland to a conference entitled Dairy: Shaping the Future taking place on 5 February at the Dunadry Hotel in Antrim.

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

The Committee considered correspondence received from Canine Breeders Northern Ireland (CBNI), dated 14 January, regarding the Minister's recent announcement in December on animal welfare reforms.

The Committee noted that CBNI is an industry body representing dog breeders who are proud of their leadership in improving dog welfare and fully support better enforcement against and the ending of unlicensed dog breeding facilities.

The Committee noted that CBNI believes in order to prevent driving dog breeding further underground it is important that the public have the opportunity to source a pet from licensed regulated breeders.

The Committee noted that CBNI expressed concern that they were not included in the consultation process to date despite assurances from the Department and that as they are fully compliant and regulated, CBNI are primary stakeholders in any legislation involving dog breeding,

The Committee noted that CBNI has requested assistance from the Committee to be formally included within any further working groups or stakeholder groups

**Agreed:** The Committee agreed to write to the Department advising that CBNI wish to be included as a formal stakeholder and to query the seeming oversight in not including CBNI to date.

The Committee considered a Clerk's Memo from the Clerk to the Committee for Finance, dated 17 January, and copies of Draft Budget 2025-26 factsheet and Budget Improvement Plan Roadmap. The memo was in relation to Draft Executive Budget for 2025-26 and the Budget Sustainability Plan.

The Committee noted that at its meeting on 15 January, the Committee for Finance received a briefing on the draft Executive Budget for 2025-26 which is currently out for consultation until 13 March, as well as a further briefing on the Executive's Budget Sustainability Plan which was published in October 2024.

It was agreed that it should be brought to the attention of other Committees.

The Committee noted that Regarding the Draft Executive Budget 2025-26: Department of Finance (DoF) Officials described the budget situation facing the executive in 2025-26 as "*incredibly challenging*" and it does not meet the bids made by Departments.

The Committee also noted that the DoF stated that they do not expect the 2025-26 financial year to provide the "*unprecedented*" level of 'Barnett Consequentials' seen

in 2024-25 and there was a certain reliance on the part of departments during 2024-25 to manage in-year budget pressures through these Barnett Consequentials.

The Committee noted that on the positive side, the DoF indicated that much of what was gained through these Barnett Consequentials was baselined into 2025-26 Budgets. However, they cautioned that this was not something that could be banked on going forward.

The Committee noted the elements included in the Budget Sustainability Plan.

The Committee noted that as part of the Budget Improvement Plan Roadmap the Executive will seek to link PfG priorities to the Budget from 2025-26. Departments are working on the production of 5-year business plans to represent a baseline picture of departmental strategy and budgeting and hope that the plans will be accompanied by, "*rough, high-level*" budgeting.

**Agreed:** The Committee agreed to note the memo

The Committee considered correspondence, dated 20 January, received from David Burleigh of Fishing Tackle and Bait Ltd.

The Committee noted that Mr Burleigh has expressed disappointment at the decision to cut overtime support for the Erne Pike Classic and the Classic Fishing Festival in Fermanagh and is calling for the decision to be reconsidered.

The Committee noted that Mr Burleigh believes that the events are highlights of the angling calendar and also vital to the economy and cultural identity of the region.

The Committee noted that Mr Burleigh wrote to the Committee previously seeking support for additional overtime for industrial staff who help to implement the events. After consideration of his letter at the meeting on 12 September, the Committee wrote to the Department encouraging it to support these events with the necessary DAERA staff.

**Agreed:** The Committee agreed to write to the Department asking them to reconsider their decision.

The Committee considered a Clerk's Memo, dated 17 January, from the Clerk of the Public Accounts Committee (PAC) and the PAC Traffic Light System Report.

The Committee noted that at its meeting on 16 January 2025, the PAC reviewed its primacy over NIAO reports published up to 31 December 2024. As a result of this, the Committee has provisionally agreed its 8th inquiry will be on Managing the Schools Estate and the PAC will retain primacy on a number of recently published reports.

The Committee noted that the PAC agreed to release the Water Quality in Lakes and Rivers report and as it no longer holds Primacy over it and suggested that the Committee may wish to consider it as part of its programme of work.

**Agreed:** The Committee agreed to note the memo.

The Committee considered correspondence dated 20 January, from Valerie Hodges, the Chair of the Ulster Beekeepers Association (UBKA) regarding the demise of the DAERA Bee Inspector Service.

The Committee noted that the UBKA seeks to alert it to a serious decline in the bee inspector service provided by DAERA, which now has no dedicated and trained bee inspectors in post and that if not addressed urgently, will have a major impact on beekeeping in Northern Ireland, with impacts on agricultural and horticultural industries.

The Committee noted that the UKBA states that the bee inspection service plays an important role in inspecting hives with suspected notifiable diseases and leading the work in containing any outbreak and that bee inspectors are an important part of the NIEAs contingency planning to address any incursion of Asian Hornets into Northern Ireland.

The Committee noted that there has been a Scottish revitalisation of its bee inspectorate with some 10 bee inspectors now supporting beekeepers in Scotland.

The Committee noted the UKBA would be pleased to brief the Committee on this matter.

**Agreed:** The Committee agreed to arrange a briefing with the UBKA.

The Committee considered correspondence from a Mr McCann, dated 21 January, regarding a complaint of dog mess in his local area, highlighting the health risks dog mess pose to children and enquiring what action can the Minister take to address the problem.

**Agreed:** The Committee noted that local councils are responsible for enforcement and agreed to forward the correspondence to the Committee for Communities and to Solace NI.

#### **11. Forward Work Programme**

The Committee noted the draft Forward Work Programme to 6 March 2025.

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

#### **12. Any Other Business**

None

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

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 30 January at Parliament Buildings, at 10.00 am.**

***The Meeting adjourned at 12.05 pm***

**Signature:** .....

**Robbie Butler MLA, Chairperson**

**Dated** .....