



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

10 April 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
Patsy McGlone MLA
Michelle McIlveen MLA
Áine Murphy MLA

Apologies: None

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

The Meeting Opened in Public Session at 10:04 am

1. Apologies

None

2. Declaration of Interests

The Deputy Chair reminded Members of their responsibility to declare any interests in any of the items under discussion.

None were declared.

3. Chairperson's Business

The Chair thanked the Minister for his appearance in plenary on Monday to answer urgent questions in response to the recent fires across the Mourne Mountains area.

The Chair advised that he has asked the Minister for an update of the work that Minister Poots started on 2021 and any cross collaborative actions that have taken place since then, particularly in the preventative and post-burn stages.

Agreed: The Committee agreed to note.

The Chair referred to the response from the Minister regarding Data gathering integrity for the March 2025 Farmer Survey - Climate Change and Net Zero Attitudes. A review has shown there were errors made in the process for the development and launch of the survey and Ministerial approval was not sought.

An apology has been issued to UFU and NIAPA with an offer to meet to discuss the content and timing of any future survey. The response highlighted that there are safeguarding measures so only those responses using the correct code would have been included in the survey analysis.

Agreed: The Committee agreed to note the response.

The Committee considered an update from the Minister, dated 8 April regarding Foot and Mouth Disease (FMD) in Slovakia and Hungary, with a further two cases in

Slovakia since his last update, bringing the total to six from 4 April and in Hungary, a further two cases there has brought the total to four as of 2 April. A further Restricted Zone in Austria, Hungary and Slovakia and measures to prevent further disease spread will remain in place at least until 17 May. No commodities requiring veterinary certification had been imported to NI from these countries

Agreed: The Committee agreed to note the update.

The Chair referred to correspondence from the Minister, dated 8 April, regarding the 7th Rural Needs Annual Monitoring Report and update on the review of the list of bodies set out in the Schedule of the 2016 Act.

The Chair noted that the Committee received a Departmental briefing on 14 November on the results of the public consultation and the review for amending the list of bodies is ongoing with the recommendations expected by June 2025.

Agreed: The Committee agreed to note the update.

4. Minutes

The Minutes of the meeting on 3 April were agreed and signed by the Chair to be published.

Agreed: The Minutes were agreed.

Minister Muir and the Permanent Secretary Mrs Katrina Godfrey joined the meeting at 10:04 am

Áine Murphy MLA joined the meeting at 10:08am

5. Matters Arising

5.1 The Committee considered a response memo from the Clerk to the Committee for Communities, dated 4 April, regarding Community Asset Transfer (CAT).

The memo stated that the Committee for Communities has not undertaken any work or had any briefings from Minister Lyons regarding CAT. However, the Committee for Communities has now requested a Departmental briefing on the matter.

Agreed: The Committee agreed to note the memo.

5.2 The Committee considered a response memo from the Clerk to the Committee for Finance, dated 3 April, regarding Community Asset Transfer (CAT).

The memo stated that Finance Committee has requested a reply to its query from the Department for Finance and will forward the response when received.

The Committee also noted a copy of a briefing paper from Development Trust NI on a Community Ownership Fund and Community Rights and Empowerment Act, which the Committee for Finance considered on 12th February.

Agreed. The Committee agreed to note the memo until it receives the response from the Department for Finance.

5.3 The Committee considered correspondence from the Department, dated 7 April, regarding the Farm Sustainability Transition Payment - the Transfer of Payment Entitlements window opened on 3 April and should be returned no later than 15 May 2025. Farms business were notified by email and letter prior to that and a press release was issued on 2 April 2025.

Agreed: The Committee agreed to note the correspondence.

6. Ministerial evidence session - Consideration of DAERA Corporate Plan 2025-27 and update on current issues

This agenda item was recorded by Hansard

The Committee were briefed by Minister Muir on the Corporate Plan 2025-27 and he also took the opportunity to refer to the Agriculture Bill.

The Committee heard that the Minister has taken on board the Committee's concerns regarding the planned closure of the FVAS Aid and reiterated that the current scheme would not be closed until a new co-designed scheme is in place.

The Minister then briefed the Committee on the DAERA Corporate Plan 2025-27 and update on current issues.

The Minister stated that regarding the Budget, while he welcomed the Executive earmarked funding, he was concerned regarding the overall level of funding allocated and the significant budget pressures faced by the Department.

The Minister highlighted the pressures facing the Department including TB compensation and eradication, the efforts to reduce levels of Ammonia and addressing water quality. The Minister advised that TB eradication remained a priority and hoped to have the TB Strategy Blue Print signed off soon.

The Minister also recognised the impact of the recent fires and thanked those agencies involved in tackling the fires and helping people in the vicinity.

There then followed a question and answer session.

The Chair thanked the Minister and the Permanent Secretary for their attendance.

The Minister and the Permanent Secretary left the meeting at 11:12 am

7.Agriculture Bill - Committee Deliberations (Clause by Clause)

This agenda item was recorded by Hansard

The Committee noted it has received a reply from the Department in response to the letter it sent after last week's meeting, seeking clarification on a number of matters within the clauses. The following Departmental Officials were in attendance:

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

Clause 1 Aid in the fruit and vegetables sector: amendment of CMO Regulation.

The Chair highlighted that the Committee had written to DAERA after last week's meeting to see if the Minister would be minded to consider an amendment to Clause 1 to ringfence funding set at an agreed baseline of VMP (Sales) above which the Minister can then exercise discretionary powers.

The Committee considered the response, which stated that the Minister was not minded to amend Clause 1 for a number of reasons:

- He has already provided assurance that he will not end the existing scheme until there is a suitable successor in place and the policy aim of the Bill to make support discretionary;
- If 4.1% of VMP baseline was included on the face of the Bill, further primary legislation would then be needed to amend it;
- An alternative to the VMP calculation may be more attractive to other sub-sectors.

There then followed a question and answer session on Clause 1.

The Committee heard that 4.1% VMP was a cap in the original EU Scheme and not a baseline and that DAERA is concerned that with the closure of the scheme in England, POs with the majority of their growers based there, could potentially set up their HQ here, resulting in Fruit and Veg Aid benefitting growers in another jurisdiction.

Clause 2 - Aid in the fruit and vegetables sector: power to modify.

The Chair highlighted that the Committee had written to DAERA after last week's meeting to seek further clarity regarding the breadth of delegated legislative powers; how DAERA intends to use them; and its intentions in relation to revocation or repeal of the assimilated legislation.

The Committee considered the response, which stated that the enabling power in the Bill could allow for changes to improve the existing scheme; no decision has been made on how these powers will be used (until a successor scheme is advanced it is not possible to be definitive); and the powers provide for repeal/revocation of parts of existing legislation if such parts are considered unsuitable for a NI only scheme;

No further queries were raised to Clause 2.

Clause 3 - Information provision and promotion measures: power to modify.

The Chair highlighted that the Committee had written to DAERA after last week's meeting seeking clarification in relation to limitations of the power and future intentions to revoke or repeal the assimilated legislation.

The Committee considered the response, which stated that the powers will save the law from sunseting; it may be a useful foundation for support for food promotion; and could be used to revoke any part deemed unhelpful to a NI-only call for applications or to revoke the legislation in its entirety, if its decided it's no longer needed.

No further queries were raised to Clause 3

Clause 4 – Regulations

The Chair highlighted that the Committee had written to DAERA after last week's meeting seeking clarification on how the Department intends to use the broad powers.

The Committee considered the response, which stated that it is not possible to be definitive as to what changes might be proposed or what impacts that may in turn have on other legislation until the future policy position is clear. Also, the powers in

Clauses 2 and 3 are narrow as they only allow for changes to the named legislation, and therefore any consequential etc. amendments will also be very narrow.

No further queries were raised to Clause 4

Clause 5 – Interpretation

The Chair highlighted that the Committee had written to DAERA after last week's meeting seeking clarity from the Department under what circumstances it would intend to use these powers.

The Committee considered the response, which stated that the enabling power could be used to make improvements to the present scheme while the replacement scheme is being co designed and the revocation powers may be needed to remove redundant provisions as part of any improvement.

The Chair highlighted that the Committee had also asked if the Minister would be minded to amend the Bill to ensure that the current FVAS could only be repealed or revoked once a suitable co-designed replacement scheme is in place.

The Committee considered the response stated that the Minister is not minded to bring forward such an amendment for a number of reasons:

- The scheme will not now close at the end of the year and a replacement scheme is to be co-designed;
- Powers may be needed to revoke specific parts of the legislation in advance of any replacement scheme, as part of any work to improve the existing scheme; and
- Not appropriate to earmark support for one sector/sub-sector or another and flexibility is needed to allocate support according to DAERA priorities.

No further queries were raised to Clause 5.

Clause 6 – Commencement and short title

The Chair highlighted that the Committee had written to DAERA after last week's meeting to ask if the Minister would be minded to consider an amendment to the short title to reflect the specific remit of the Bill.

The Committee considered the response, which stated that the title adequately covers the content of the Bill and to change a Bill's name during passage would be unusual and would only be done when it was necessary to do so to reflect changes to a Bill during its passage.

The Committee considered potential alternative names for the Bill to reflect its specific nature.

The Chair thanked the representatives for their attendance.

Áine Murphy MLA left the meeting at 11:14am

Áine Murphy MLA re-joined the meeting at 11:20am

John Blair MLA left the meeting at 11:20am

John Blair MLA re-joined the meeting at 11:26am

Declan McAleer MLA left the meeting at 11:23am

Michelle McIlveen MLA left the meeting at 11:29am

Michelle McIlveen MLA re-joined the meeting at 11:39am

William Irwin MLA left the meeting at 11:42am

The Departmental Officials left the meeting at 11.45am

The meeting was suspended at 11:45am

The meeting resumed at 11:55am

The Departmental Officials joined the meeting at 11:56am

7. The Farming with Nature Regulations (Northern Ireland) 2025 and Policy Proposals for the Farming with Nature Package.

This agenda item was recorded by Hansard

The Committee noted the Department intends to make a Statutory Rule to introduce the Farming with Nature Regulations (Northern Ireland) 2025 to provide DAERA with the legal powers to implement the Farming with Nature (FwN) Package, as part of the continued roll out of the Sustainable Agricultural Programme.

The Committee noted that the SR will be laid before the Assembly under the draft affirmative procedure and will be subject to Executive approval. The date, it is anticipated that it will come into operation is not yet confirmed.

The following Officials briefed the Committee:

- Manus McHenry, Deputy Director of Agricultural Policy Division; and
- Zita Hale, Deputy Director of Agricultural Policy Division

The Committee heard that the Farming with Nature Package will replace the current Environmental Farming Scheme (EFS) and will provide a package of support for farmers to increase the extent of habitats across farmed land in Northern Ireland.

There then followed a question and answer session.

The Committee heard that the new scheme to be launched in 3 phases starting in 2025, will be an annual scheme with a cap unlike the EFS scheme which was over a five year period. The new scheme is also intended to be more simple and less bureaucratic.

The Chair thanked the Officials for the briefing.

Agreed: The Committee to write to the Department for clarification regarding:

- When did the Department first consider that the FwN scheme was required to replace the EFS and when did such work commence on the scheme;
- Does the Minister have powers to move funds between relevant schemes under the Farm Sustainability (Transitional Provisions) Regulations NI 2025, or any other regulation and;
- Is it the intention that the 'voluntary' element of the scheme be removed, in part or full, during the course of this current Parliamentary Mandate.

The Officials left the meeting at 12:13pm

Aoife Finnegan MLA left the meeting at 12:14pm

Aoife Finnegan MLA re-joined the meeting at 12:17pm

9. Correspondence.

9.1 The Committee considered correspondence from the Office of Environmental Protection (OEP) and a copy of its report entitled: Review of implementation of laws for terrestrial and freshwater protected sites in Northern Ireland.

Agreed: The Committee agreed to note the report on the understanding that it will consider these matters in more detail with the OEP Officials at its meeting on 29 May.

9.2 The Committee considered an invitation to register for a seminar on The Potential for AI in the Public Sector on Tuesday 15 April 2025 at Riddell Hall, Stranmillis Road, Belfast.

Agreed: The Committee agreed to note the invitation.

9.3 The Committee considered correspondence from the Department dated 4 April, and a copy of the Report entitled Rural Needs Annual Monitoring Report 1 April 2023 - 31 March 2024.

The Committee discussed issues around the effectiveness of the delivery of the Rural Needs Act.

Agreed: The Committee agreed to note the report and to recirculate to the Committee the papers from the Rural Policy Unit briefing of 14 November.

9.4 The Committee considered the 36th Report of the Examiner of Statutory Rules. The Committee noted the Report does not refer to any SRs of relevance to the Committee.

Agreed: The Committee agreed to note the report.

9.5 The Committee considered a response from Solace, dated 8 April, regarding Local council enforcement regarding dog mess.

The response stated that this issue remains a key priority for councils and take a pro-active approach through social media campaigns and signage across all local government districts. The Committee noted that 1,446 fixed penalty notices for dog fouling were issued between 2019 and 2024 and failure to pay may result in court proceedings with a maximum fine of £1,000.

Agreed: The Committee agreed to note the response and forward it to the Committee for Communities, as Councils are under its remit.

10. Forward Work Programme

The Committee noted that the draft Forward Work Programme for May and June would be considered at the first meeting after recess.

The Committee noted that John Blair MLA has formally requested that the Committee should consider conducting a Committee Inquiry into Water Quality in Northern Ireland based on the recommendations of the Northern Ireland Audit Office (NIAO) report.

The Committee noted water quality remains a major issue of concern and in the first instance it would seek an update from the Department on the progress of implementing the NIAO report recommendations.

A Committee Member also raised the possibility of considering options for an inquiry in other areas and it was agreed that the Committee would give the matter further consideration at a later date.

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

- An update on the progress of the River Basin Management Plan (RBMP);
- The anticipated date of publication of the 3rd Cycle of RBMP, from 2021-2027; and
- A Written Update from NIEA on the progress of implementing the recommendations from the Water Quality in Northern Ireland's Rivers and Lakes report.

11. Any Other Business

None.

12. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 1st May at 10.00am in Parliament Buildings.**

The Chair then sought and received Committee agreement to go into closed session to further discuss the Agriculture Bill.

The public meeting was adjourned at 12:40 pm

The meeting went into closed session at 12.43pm

Signature:

Robbie Butler MLA, Chairperson

Dated