



Northern Ireland  
Assembly

# Agriculture, Environment and Rural Affairs Committee

## Minutes of Proceedings

06 February 2025

Parliament Buildings, Room 21

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

**Present by Video or Teleconference:**

**Apologies:** Nicola Brogan 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 10.10 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 proposed that the virtual meeting with Professor Bell, Chair of the UK Government Migration Advisory Committee (MAC), to discuss the Report on the Seasonal Worker visa review, be held on MS Teams as the Home Office does not use Zoom. This means that it will be an informal discussion and exchange of views held prior to the formal Committee meeting.

**Agreed:** The Committee agreed that the meeting with Professor Bell will be held on MS Teams on 20<sup>th</sup> February at 10am prior to the formal Committee meeting, which will then commence at 11am.

The Chair referred to the two written briefings that had been on the Forward Work Plan:

DAERA Corporate Plan 2025-27; and

Consultation on the Strategic Environmental Assessment - Environmental Report for the combined Ammonia Strategy and Operational Protocol.

The Chair advised both were postponed at short notice as they were not ready to come to Committee.

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

## **3. Minutes**

Minutes of the 30<sup>th</sup> January 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 30 January, in reply to its request made at the meeting of 16 January regarding the step-by-step planning guidance for applicants and an update on the resources and expertise within the NIEA.

The Committee noted that the response states that work on the proposed guidance has been initiated; however, due to preparatory work for Dalradian Public Inquiry, progress is slower than anticipated and it is expected that a draft will be available by 30 April which will then be forwarded to the Committee for comment.

The Committee noted that in relation to staffing levels and expertise, the Department states that the NIEA is taking steps to redeploy staff with suitable experience into planning teams within the Natural Environment Division.

The Committee noted that planning vacancies at all grades are being addressed, however, there will be a time lag before a significant improvement in planning response rates will be achieved.

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

**4.2** The Committee considered correspondence from the Department dated 28 January in relation to The Greenhouse Gas Emissions Trading Scheme (Amendment) (No.2) Order 2025

The Committee noted that the Department is giving advance notice of the laying before the Assembly of the Statutory Instrument (SI). The SI amends the Greenhouse Gas Emissions Trading Scheme Order 2020. The Committee noted that the Department is due to give an oral briefing on this matter at the meeting on 27 February.

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

**4.3** The Committee considered a response from the Department in reply to its letter 1 of 6 January in support of the inclusion of Canine Breeders NI (CBNI) in relevant Departmental stakeholder groups going forward and queried why it appeared CBNI has not been included to date.

The Committee noted that the response states that CBNI also wrote to the Minister raising the same issue on 14 January and he responded to them to provide clarification in relation to the stakeholder events, at this stage, are high-level discussions in respect of potential animal welfare reforms to assist in prioritising reforms for the remainder of this mandate, not about the detail of any policies, such as Lucy's Law.

The Committee noted that the Department states that CBNI had met DAERA officials last May and the views expressed at that meeting by CBNI have been given consideration as part of the policy development process to date.

The Committee noted that all stakeholders and organisations (including CBNI) will have the opportunity to consider the detail of any of the policy proposals when they are issued for public consultation and that the Department has offered a further meeting with officials to CBNI.

**Agreed:** The Committee noted the correspondence and agreed to forward it to CBNI.

**4.4** The Committee considered the response from the Department, dated 4 February, in reply to its letter of 27 January regarding staff over-time support for the Erne Pike Classics and the Classic Fishing Festival in Fermanagh.

The Committee noted the Department states Budget pressures have led to a reduction in such outreach activity but that the Minister recognises the positive impact of the angling competitions and the wider benefits that this brings to the local economy.

The Department states it will continue to support the Fermanagh Classic and the Pike Classic by making the Public Angling Estate available for use. The Committee

noted that Departmental Officials have engaged with Fermanagh and Omagh District Council.

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

**4.5** The Committee considered the response from the Department, dated 4 February, in reply to its letter of 17 January, seeking a response on issues raised by Solace regarding The Environmental Protection (Single-use Vapes) Regulations (Northern Ireland) 2024.

The Committee noted the Department states that it is estimated that the costs attributable to local councils in Northern Ireland would be £5.68 million per year before any savings from reduced clean-up costs and costs of incorrect disposal.

The Committee noted it is anticipated that the number of such vapes in circulation will fall over a relatively short period of time once the ban comes into operation on June 1<sup>st</sup> and that the Department is currently drafting legislation which will ensure that businesses breaching the ban will be required to dispose of the banned vapes at their own cost. It is estimated that for Northern Ireland there will be 6 or 7 prosecutions per year.

The Committee noted that the Department believes that some manufacturers are adapting product design in advance of the ban and this is a positive outcome to decrease the volume of 'throw-away' and difficult to process waste items.

The Department views the ban on single-use vapes as complementary to the provisions of the Tobacco and Vapes Bill and is currently in discussions with the Department of Health with a view to a joined up approach on tobacco enforcement and the implementation of the ban.

The Committee noted that DAERA also advises it has met with Environmental Health Northern Ireland and Officials will continue to engage as this work progresses. The Department will also respond directly to Solace to offer a meeting to directly address the issues raised in its correspondence to the Committee.

**Agreed:** The Committee agreed to note the correspondence and the proposed meeting with Solace.

**4.6** The Committee considered a draft letter regarding its further queries to the DAERA in relation to ISNI Delivery Tracking System – Investing Activity Reports – Construction Projects.

The Committee noted it had considered the most recent ISNI – DTS Investing Activity Report, dated 26 January, at its meeting on 30 January and had further queries and comments.

**Agreed:** The Committee agreed the draft of the letter and to forward it to the Department.

The Chair sought agreement to proceed to Agenda item 6 and then return to Agenda Item 5 and Members agreed.

***The Aquaculture Representatives Group/Aquaculture NI joined the meeting at 10.13 am***

## **6. Oral Briefing from Aquaculture Representatives Group/Aquaculture NI**

The Committee considered the following papers:

- Aquaculture Representatives Group (ARG) Briefing Paper;
- ARG – Additional Paper;
- The response from the Department 30 September, in reply to the Committee's letter of 20 September, regarding rebuilding the Aquaculture sector.

In that response, the Minister noted that he had agreed policy themes for inclusion in a forthcoming Fisheries Bill for supporting the sustainable development of all aquaculture sub-sectors. The response also noted various actions in process to address water quality and also referred to financial support as Minister Muir opened the Marine Environment and Fisheries Fund in July 2024.

The following representatives briefed the Committee:

- Rod Cappell, Aquaculture Representative Group (ARG) facilitator, Aquaculture NI

- Raymond Mairs, Trout Farmer
- Mark McAllister, Trout Farmer

There then followed a question and answer session.

The Committee heard the ARG describe the obstacles and challenges that the sector is currently facing, including the unfair and disproportionate enforcement of out-of-date legislation and the deterioration of water quality.

The Committee also heard the ARG assert that the biggest impact on the decline of water quality is the increase in human and agricultural activity.

The Committee noted that the ARG stated that the sector cannot wait for the planned Fisheries Bill to address the concerns.

The Committee heard that the restrictions to halt the spread of zebra mussels in Northern Ireland waterways have been placed on vessels delivering live fish to fish farms in the area but have been not placed on other vessels, such as navigation vessels operating on the waterways in the same areas.

The Committee heard that the sector previously had close and open engagement with the Department in but in recent years they have seen a deterioration in communication.

The ARG advised they do not have adequate support from the Department and called for assistance through an action plan, linked to the new Food Strategy Framework, specific to Aquaculture.

The Committee thanked the representatives for the briefing.

**Agreed:** The Committee agreed to write to the Minister to encourage him to include Aquaculture in a specific action plan as part of the Food Strategy Framework and to seek his comments on how to reverse the decline and develop aquaculture in Northern Ireland.

**Agreed:** The Committee agreed to write to the Department to seek a response regarding the restrictions to halt spread of zebra mussels in Northern Ireland waterways and to seek any reasons why the same restrictions are not placed on all vessels operating in the relevant waterways.

**Agreed:** The Committee agreed to request a RalSe research paper regarding models for supporting the Aquaculture Sector from other jurisdictions (Scotland was mentioned as potentially a good model).

***Patsy McGlone MLA joined the meeting at 10.39am***

***Declan McAleer left the meeting at 11.01am***

***Declan McAleer MLA re-joined the meeting at 11.07am***

***The ARG representatives left the meeting at 11.20am***

***The Departmental Officials joined the meeting at 11.21am***

## **5.Oral Briefing from The Department of Agriculture, Environment & Rural Affairs – Draft Budget 2025/26**

***This item was recorded by Hansard***

The Committee considered the following papers:

- Clerk's Memo from the Clerk to the Committee for Finance, dated 3 February, regarding the Analysis of 2024-25 Outturn and Forecast Outturn;
- 2024-25 public expenditure outturn and forecast outturn information for October (R07) position, November (R08) position and December (R09) position
- Correspondence from The Department, dated 4 February, regarding the Draft Budget 2025-26 Proposals and Budget 2024-25 Spring Supplementary Estimates; and
- Departmental Briefing slide pack.

The following Departmental Officials briefed the Committee:

- Roger Downey, Director of Finance, DAERA,
- Declan McCarney, Deputy Finance Director, DAERA
- Nuala Hennessy, Head of In Year Financial Planning Branch, DAERA

The Committee noted that the Finance Committee is seeking, by 28 February, the Committee's views on the department's draft 2025-26 Budget and any issues that



Committees have about their Department's 2024-25 Budget position and management. The Committee had agreed to wait until it received this briefing before preparing a response.

There then followed a question and answer session:

The Committee raised queries including around the shortfall in allocation of funds versus Departmental Bids for the eradication of and compensation for Bovine TB. The Committee heard that it is hoped that there will additional allocation of funds through monitoring rounds to meet the needs of this statutory programme.

The Committee heard that budget pressures have meant that there is not enough resource to take forward all the actions in the Lough Neagh Action Plan.

The Committee queried the Just Transition Fund for Agriculture and sought further information regarding the projects associated with it.

**Agreed:** The Committee agreed to write to the Department requesting further information on the projects and types of farms the funds from the Just Transition fund will be directed to in 2025/26.

The Committee thanked the representatives for the briefing.

***John Blair MLA left the meeting at 11.48am***

***John Blair MLA re-joined the meeting at 11.53am***

***Aine Murphy MLA left the meeting at 11.51am***

***Aine Murphy MLA re-joined the meeting at 11.54***

***The Departmental Officials left the meeting at 11.59 am***

***The meeting was suspended at 12.00 pm***

***The meeting resumed at 12.10pm***

***William Irwin MLA re-joined the meeting at 12.13pm***

## **7. Agriculture Bill**

***This item was recorded by Hansard***

The Committee considered the following paper:

- Correspondence from NIMGA dated 3 February.

The Committee noted that NIMGA reiterated its proposals heard at the briefing on 30 January calling to amend the Bill to maintain the current 4.1% as the minimum contribution before which discretionary powers can be enacted.

NIMGA also propose to either remove the power to revoke the scheme or replace this proposal with a commitment to introduce a scheme of equivalent or higher levels of support - to commence immediately following a closure of the current scheme.

The Committee also noted that NIMGA reasserted that by enabling the Minister to close the scheme, the pressures faced by the mushroom industry will increase. They also called upon the Committee to support them in encouraging the Department to put in place an emergency scheme that could respond to events such as extreme weather.

**Agreed:** The Committee agreed to note the response as part of the Bill Evidence and return to it once Committee deliberations of the Bill commence.

The Committee moved on to consider the response from the Department on the queries and issues raised in the RalSe paper and Committee discussions at the RalSe briefing of 16 January.

**Agreed:** The Committee agreed to note the response as part of the Bill Evidence and return to it once Committee deliberations of the Bill commence.

**8. Draft SR The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2025**

The Committee considered the following Statutory Rule:

- The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2025 and Explanatory Memorandum.

The Committee noted that the SR is required to bring into effect the annual uplift to the Northern Ireland Environment Agency (NIEA) Waste Charging Scheme for 2024-2025 and as the increase in fees for 2024-2025 is higher than the standard inflationary measure the regulations are laid by the draft affirmative procedure.

The Committee noted that it had been briefed on this matter on 23 January when the Committee agreed that the Department could proceed to lay the draft SR.

The Committee noted that there have been no changes since the SL1 was submitted to the Committee and that the Examiner of Statutory Rules has advised that the SR will be included in the next ESR Report and that it will not be drawn to the special attention of the Assembly.

**Agreed:** The Committee agreed to support the SR as drafted in the Assembly debate.

## **9. SR 2025/11 The Animals (Identification, Records, Movement and Enforcement) (Amendment) Regulations (Northern Ireland) 2025**

The Committee considered the following SR:

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

The Committee noted that the SR is subject to the negative resolution procedure and there have been no changes to policy content since the SL1 was submitted to the Committee.

The Committee noted that it was briefed on this matter at the meeting on 23 January when it heard that the Department intended to make this 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 system - by updating references to repealed EU instruments in domestic legislation and inserting a reference to the equivalent Animal Health Law provision or to any delegated or implementing legislation.

The Committee noted at that meeting it heard that it is only the most severe cases of non-compliance with IRM that would be referred to the PPS for potential prosecution.

At that meeting 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 did note the need to bring back legal certainty and for DAERA to be able to refer severe cases of non-compliance to the PPS.

The Committee noted that at that meeting there was not a consensus and a vote was taken with the majority of the Committee Members present agreeing that the Department proceeded to make the SR.

The Chair asked if the Committee had no objection to the Rule, pending the Examiner of Statutory Rules Report.

The Committee were divided in support for the SR that was laid on 23 January by negative resolution and a vote was taken:

The Committee divided: AYES 4 : NOES 4.

Ayes: Declan McAleer MLA, John Blair MLA, Patsy McGlone MLA, Aine Murphy MLA

Noes: Robbie Butler MLA, Tom Buchanan MLA, William Irwin, Michelle McIlveen MLA.

**Agreed:** There was no Committee majority so no agreed Committee position on the SR.

The Chair sought the Committee's agreement to move to Agenda Item 14:

**Agreed:** The Committee agreed to proceed to Agenda Item 14.

#### **14. Draft Statutory Rule - The Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025**

The committee noted that the Clerk had been advised by the Examiner of Statutory Rules that due to a drafting error identified in the Statutory Rule (SR) a revised SR was required.

The Committee did not have sight of the revised version for the meeting, so the Chair stated that it could not be considered and therefore could not consider the SR nor form its view.

The Committee noted that at the meeting of 30 January it agreed to write to stakeholders listed on the Agricultural Policy Stakeholder Group (APSG) giving them the opportunity to provide a written response with their views on the draft SR with the offer of giving an oral briefing to the Committee.

The Committee considered correspondence from the ASPG dated 4 February confirming that all its member groups support the draft affirmative SR and noted correspondence from two member groups of the APSG - NI Meat Exporters Association and NI Grain Trade Association, stating they are in support of the SR.

Following further discussion, the majority of the Committee were of the view that both the Young Farmers Payment and the Regional Reserve should continue until the Farming for the Generations Scheme is introduced.

All Members agreed it would be useful to obtain full details of the progress of development of the Farming for the Generations Scheme, including details of the scheme, milestones of development, dates and timelines.

The majority of the Committee also expressed concern that they were not being given sufficient time generally to fully scrutinise and influence legislation being put before it.

**Agreed:** The majority of the Committee agreed to write to the Minister to request that he does not move the Motion: The Farm Sustainability (Transitional Provisions) Regulations (Northern Ireland) 2025 on Tuesday 11 February 2025.

**Agreed:** The majority of the Committee agreed to write to the Minister calling for the continuation of the Young Farmers Payment and the Regional Reserve until the Farming for the Generations Scheme is introduced.

**Agreed:** All Members agreed to write to the Minister to obtain full details of the progress of development of the Farming for the Generations Scheme, including details of the scheme, milestones of development, dates and timelines.

The Chair returned to Agenda Item 10

### **10. Departmental Written Briefing - Consideration of DAERA Corporate Plan 2025-27**

The Committee noted that item is not being considered today as the Department requested that it be postponed.

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

### **11. Correspondence.**

The Committee considered correspondence, dated 28 January, from Mark Durkan MLA advising on the upcoming consultation for his Members Bill, the Environment and Nature Restoration Bill.

The Committee noted that the aim of the Bill is to establish a legal framework for environmental governance, and make provisions for specific improvement of the environment, including measures on nature and biodiversity. The Bill aims to achieve and maintain a healthy environment and fulfil various political and legal commitments.

The Committee noted that the consultation will run for 12 weeks, from Wednesday 5th February until Wednesday 30th April 2025.

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

The Committee considered correspondence from the Chair of the Public Accounts Committee, dated 3 February, and Guidance notes.

The Committee noted the Guidance Note was developed in consultation with the Northern Ireland Audit Office and is intended to provide clarity on the respective roles of the PAC, C&AG and Statutory Committees in operation of the Primacy convention.

The Committee noted the guidance sets out the role of PAC, the circumstances in which Primacy ends and guidance on scrutiny in relation to NIAO Reports and Ministerial Directions - in order to support effective scrutiny across committees in line

with the spirit of Primacy and contribute to effective working relationships between PAC, the C&AG and Statutory Committees.

**Agreed:** The Committee agreed to note the correspondence and the guidance notes.

## **12. Forward Work Programme**

The Committee considered the draft Forward Work Programme up to 20 March.

The Committee discussed the issue of connectivity in rural areas and requested a briefing from Fibrus on the matter and potentially include this with NIE and Forest Service in terms of rural matters and tree planting next to electricity lines

The Clerk agreed to liaise with the Clerk to the Economy Committee as there is likely overlap with that Committee.

The Committee agreed the Forward Work Plan to be published.

## **13. Any Other Business**

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

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on **Thursday 13 February at 10.00am at RSPB Window on Wildlife Centre**

***The Meeting adjourned at 12.42pm***

**Signature:** .....

**Robbie Butler MLA, Chairperson**

**Dated** .....