



Northern Ireland
Assembly

Agriculture, Environment and Rural Affairs Committee

Minutes of Proceedings

09 October 2025

Present: Robbie Butler MLA (Chairperson)
Declan McAleer MLA (Deputy Chairperson)
John Blair MLA
Tom Buchanan MLA
Aoife Finnegan MLA
William Irwin MLA
Daniel McCrossan MLA
Michelle McIlveen MLA
Áine Murphy MLA

Apologies: None

In Attendance: Dr Janice Thompson, Assembly Clerk
Glenda Doherty, Senior Assistant Assembly Clerk
Nick Faulkner, Assistant Assembly Clerk
Michael Greer, Clerical Supervisor
Sarah Dowd, Clerical Officer

The meeting opened in Public Session at 10:06am

1. Apologies

None

2. Declaration of Interests

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

Declan McAleer MLA declared that he is an executor and owner of a small farm in Co Tyrone.

William Irwin MLA declared an interest as a partner in a farm business.

Tom Buchanan MLA declared an interest as a partner in a farm business.

3. Chairperson's Business

The Chair referred to correspondence from the Minister, dated 3 October, regarding an AFBI Data Breach – information relating to retailers and individual producers had been disclosed in response to a Freedom of Information request.

The Committee noted an investigation is underway, the Information Commissioner's Office has been notified and AFBI will be available to brief the Committee if required.

Agreed: The Committee agreed to request a briefing from AFBI Officials.

The Chair referred to an invitation to a Joseph Rowntree Foundation Roundtable Event at The MAC, Belfast on Friday 17 October for a discussion on a poverty free future for Northern Ireland to mark International Day for the Eradication of Poverty.

The Chair stated that he is unavailable and offered the invitation to attend to Deputy Chair in the first instance, then the Committee.

Agreed: The Committee agreed to note.

The Chair referred to the Minister's Oral Statement to the Assembly, on 7 October, regarding the Update on Highly Pathogenic Avian Influenza (HPAI) at a commercial poultry premises near Omagh.

The Committee noted it is the first suspected case of HPAI in a commercial poultry premises in Northern Ireland since the last confirmed case on 24 February 2025.

Agreed: The Committee agreed to note.

The Chair referred to the Dilapidation Bill and advised that plans are now confirmed for an online meeting with members of the Youth Assembly (YA) who are interested in giving their thoughts to assist the Committee's scrutiny.

The Committee noted the online meeting will be led by the YA Secretariat and will take place on Tuesday 14 November at 6.30pm and that the YA Secretariat will then issue the Committee with a report on the meeting.

Agreed: The Committee agreed that Members send confirmation to the Committee Team if they intend to join the meeting.

The Chair referred to the Committee's Draft End of Session Report 2024 - 2025.

Agreed: The Committee agreed to return to the matter at the next meeting.

4. Minutes

The Minutes of the meeting on 2 October 2025 were agreed and signed by the Chair to be published.

Agreed: The Minutes were agreed.

5. Matters Arising

The Committee considered the response from the Department, dated 3 October, in reply to its letter of 19 September, regarding an update on the progress of the Farm Sustainability Standards and Penalty Matrix.

The Committee noted the response stated that Minister Muir has made final decisions required to complete the development of the Penalty Matrix.

Agreed: The Committee agreed to note.

The Committee considered the response from the Department, dated 7 October, in reply to its letter regarding The Bovine Genetics Genotyping Scheme Regulations (Northern Ireland) 2025.

The Committee were pleased to note that it contained a step-by-step flowchart setting out each step of the proposed scheme; a response to its query regarding a communication strategy for older farmers; and details of its engagement with the Agricultural Policy Stakeholder Group (APSG) and Sustainable Ruminant Genetics (SRG).

A Member stated he still has concerns regarding outworkings of the Penalty Matrix.

Agreed: The Committee agreed to note and that it will return to consider that matter further at a later date.

The Committee considered correspondence, from the Department, dated 7 October, in reply to its letter regarding the Discharge of Wastewater in Strangford Lough.

The Committee noted that the Minister shares the concerns raised and details steps taken to improve water quality including the publication of the Environmental Improvement Plan; the third cycle River Basin Management Plan and the Wastewater Reform Programme.

Agreed: The Committee agreed to forward the correspondence to the individual.

The Committee considered the response from the Department, dated 7 October, in reply to its letter regarding the Review of NIEA Odour Guidance.

The Committee noted that the NIEA will review The UK Environment Agency “*H4 Odour Management*” guidance, along with the Scottish Environment Protection Agency “Odour guidance 2025” and Ireland’s Environmental Protection Agency’s “Air Guidance Note 5 to ensure that it continues to use Best Practice when carrying out odour impact assessments.

Agreed: The Committee agreed to note.

The Chair referred to the RalSe paper it commissioned prior to recess titled: ‘US Trade Tariffs: key changes & initial considerations for Northern Ireland’ and noted that the Committee agreed to revisit the matter after summer recess to consider if it wish to give it further consideration.

Agreed: The Committee agreed to seek a further update from RalSe.

Michelle McIlveen MLA joined the meeting at 10:15am

Aoife Finnegan MLA joined the meeting at 10:16am

The meeting went into closed session at 10:17am

6. Oral Evidence from the legal advisor to the ESR (Closed)

The meeting resumed in open session at 10:44am

The Department Officials joined the meeting at 10:44am

The Deputy Chair in the Chairs absence chaired the meeting at 10:44am

The Chair rejoined the meeting at 11.00am

7. Dilapidation Bill Oral Evidence Session - Department for Communities - Historical Environment Division (HED)

This agenda item was recorded by Hansard

The following HED Official briefed the Committee:

- Manus Deery, Acting Director

The Committee were briefed on the impact of the Dilapidation Bill on Historic Buildings.

The Committee heard the HED are supportive of the Bill as it addresses its two main concerns: providing for councils to issue notices where it does not consider demolition necessary to carry out the work specified in the notice, and that there are no exemptions from the obligation to comply with any other statutory provision relating to the condition of the building.

There then followed a question and answer session.

The Committee heard that the HED views the Bill a useful addition to the tool kit that councils can use to tackle the issue and it also brings together aspects from other pieces of legislation into one Bill.

The Committee heard that the Bill resulted from an action following the Heritage Crime Summit in 2011 that called for new legislation as the existing legislation dealing with dilapidation was out of date.

Members concerns include that the Bill does not have sufficient 'teeth'; councils would not have enough resources or staff to deal with enforcement action, and the legislation was skewed towards urban areas at the expense of rural areas.

The Chair thanked the Official for their attendance.

The HED Official left the meeting at 11:24am

The Ulster Architectural Heritage Representatives joined the meeting at 11:24am

8. Dilapidation Bill – Oral Evidence Session Ulster Architectural Heritage (UAH)

This agenda item was recorded by Hansard

The following representatives briefed the Committee

- John Anderson, Chair of the Architecture Planning and Policy Committee; and
- Sebastian Graham, Heritage Officer.

The Committee heard that UAH is concerned that the Bill will introduce duplication with well-established built heritage, conservation area and sustainability legislation - such as the Planning Act (NI) 2011.

The Committee heard that concerns given to DAERA over ten years ago by them were not addressed and their views were not sought in the drafting of this Bill.

There then followed a question and answer session.

The Committee heard that their concerns include: the Bill will target heritage buildings and facilitate demolition; the discretionary nature of the Bill; that councils could ignore the guidance; and that there will be no single authority taking responsibility as it will be split between DAERA, DfC and councils.

The Committee heard that council planning committees require education in built heritage, and the need to recognise that built heritage is a national asset that needs a national policy, as is the position in the Republic of Ireland.

The Chair thanked the representatives for their attendance.

The Ulster Architectural Heritage Representatives left the meeting at 12:00pm

The Departmental Officials joined the meeting at 12:01pm

9. Departmental Oral Evidence Session - Marine Licensing - Clause 16 - in the Administrative and Financial Provisions Bill

This agenda item was recorded by Hansard

The Committee noted that Clause 16 of the Administrative and Financial Provisions Bill is specific to the remit of the AERA Committee, so it has been requested to undertake scrutiny and reports its findings back to the Finance Committee by 30 October.

The following Officials briefed the Committee

- Colin Armstrong - Deputy Director of Marine and Fisheries Policy & Legislation;
- Kelly Mills - Deputy Director of Marine and Fisheries Operations; and
- Stephanie Bennett - Principal Scientific Officer, Head of Marine Licensing Branch

The Committee heard that the SR will provide an enabling power for the Department to charge for marine licensing services it currently provides without a fee - such as the provision of pre-application advice or other assistance, monitoring compliance with licence conditions, and the variation, suspension, revocation or transfer of a licence.

The Committee heard that an increase in interest in marine activities, such as large off shore wind projects, has had an impact in the use of marine licensing services, in particular pre-application planning advice, and the current fees do not reflect the work undertaken.

The Chair referred to a letter to the Minister it was copied into from the Donaghadee Community Development Association, requesting an amendment to Marine Licensing (Exempted Activities) Order (Northern Ireland) 2011 to allow for a narrow exemption for temporary, low-impact, community-based events held on the foreshore. The Officials advised that they would issue a written update to the Committee in due course on that matter.

There then followed a question and answer session on Clause 16.

The Committee heard that no new resources within DAERA will be required to implement clause 16. Officials also stated that charges to recover costs will potentially see a measurable improvement in the services provided, and also balance the books, by providing a revenue stream that will ensure that pre-application services can continue to be offered.

The Chair thanked the Officials for their attendance.

Daniel McCrossan MLA left the meeting at 12:17pm

The Officials left the meeting at 12:21pm

The Marine Taskforce representatives joined the meeting at 12:22pm

10. Briefing from the Marine Taskforce - Marine Licensing - Clause 16 in the Administrative and Financial Provisions Bill

This agenda item was recorded by Hansard

The following representatives briefed the Committee:

- Robert Walsh, Northern Ireland Marine Task Force (MTF);
- Jade Berman - Coastal Adviser, National Trust; and
- Mathieu Lundy - Head of Marine Recovery, Ulster Wildlife Trust.

The Committee were given an overview of the work undertaken by the Northern Ireland Marine Task Force and the challenges it faces with marine licensing for certain projects. There then followed a question and answer session.

The Committee heard that although the MTF understands the need for the Department to recoup some its costs, exemptions should be given for marine nature restoration projects providing a positive environmental impact.

The Committee heard that their restoration projects will suffer, as a larger portion of funding will have to go towards licensing rather than the project itself.

The Chair thanked the representatives for their attendance.

The Marine Taskforce representatives left the meeting at 12:41pm

The Departmental Officials joined the meeting at 12:42 pm

11. Departmental Oral Evidence Session - SL1 The Farm Sustainability Payment Scheme (Eligibility etc) Regulations (Northern Ireland) 2025

This agenda item was recorded by Hansard

The following Departmental Officials briefed the Committee:

- George Moffett - Acting Director of Agricultural Policy Division;
- Lorna Christie - Head of the Farm Sustainability Development Policy Branch;
- Aidan McEvoy - Head of Controls and Assurance Development Branch; and
- Gregor Kerr - Programme Director, Future Implementation Unit.

The Committee noted the SR will be made under the draft affirmative procedure to provide the Department with the legal powers to implement the Farm Sustainability Payment, which forms part of the Sustainable Agriculture Programme and will replace the current Farm Sustainability Transition Payment, with effect from 1 January 2026.

The Committee heard it will function as a resilience payment and balance between a safety net to help farm businesses withstand 'shocks' while encouraging farms to become more environmentally sustainable, efficient, and resilient. To qualify, applicants will have to fulfil certain conditionality requirements, such as participating in a particular scheme or project.

The Committee heard that it aims to simplify the process and changes include: introduction of the historic years' requirements, progressive capping and changes to land eligibility rules. Penalties for failure to meet the FSP conditionalities are also included.

There then followed a question and answer session covering the following issues:

A Member stated that while supportive of programmes, such as the Bovine Genetics Programme, concerns remained regarding conditionality and penalties, which is viewed as yet another imposition on farmers. The capping element was also considered to be a disincentive to progress for larger farms.

The Committee heard that the Department plans a raft of communications, promotions and awareness programmes to encourage take up and to make farmers aware of the conditionalities to avoid penalties. Training would also be provided both online and face to face.

The Committee also heard that an expected saving of £2m per year as a result of capping will remain within the agri budget.

The Chair asked the Committee if they wished to make a decision if they were content to support the SR as drafted in the debate in the Assembly.

As a Member had left the room for a short period, the Committee agreed to move on to the next agenda item.

The Committee moved to Agenda item 12

12. SR 2025/161 The Agricultural Schemes (Amendment) Regulations (Northern Ireland) 2025

The Committee noted it received an oral briefing on 18 September and heard that the Department intended to make this SR under negative resolution to implement amendments to existing legislation, which have been introduced as part of the Sustainable Agricultural Programme.

There have been no changes to policy content since the SL1 was submitted to the Committee. The Committee noted on 25 September it heard evidence in closed session from the ESR and that she is content with the approach of the Department in this instance.

Agreed: The Committee agreed that it had considered SR 2025/161 The Agricultural Schemes (Amendment) Regulations (Northern Ireland) 2025 and had no objection to the Rule, subject to the report of the Examiner of Statutory Rules.

The Committee returned to Agenda item 11

11. Departmental Oral Evidence Session - SL1 The Farm Sustainability Payment Scheme (Eligibility etc) Regulations (Northern Ireland) 2025

The Committee were divided in its support for the SR as drafted. There was a quorum of eight and a vote was taken.

The Committee divided: AYES 4 : NOES 4

Ayes: Declan McAleer MLA, John Blair MLA, Aoife Finnegan MLA, Áine Murphy MLA

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

The Department Officials left the meeting at 1:16pm

13. SR 2025/162 The Farming for Sustainability Innovation Payments Regulations (Northern Ireland) 2025

The Committee noted it received an oral briefing last week and heard that the Department intended to make this SR under the negative resolution procedure to provide it with the legal powers to implement the Farming for Sustainability Innovation Scheme, to come into operation on 23 October.

The Committee noted there have been no changes to policy content since the SL1 was submitted to the Committee.

Agreed: The Committee agreed that it had considered SR 2025/162 The Farming for Sustainability Innovation Payments Regulations (Northern Ireland) 2025 and had no objection to the Rule, subject to the report of the Examiner of Statutory Rules.

14. Correspondence

The Committee considered the items in the correspondence memo.

Agreed: The Committee agreed the proposed actions and then considered some items in more detail.

The Committee considered correspondence dated 1 October from the Department regarding the Publication of the Air Pollutant Inventories for England, Scotland, Wales and Northern Ireland: 2005-2023.

Agreed: The Committee agreed to note.

The Committee considered correspondence, dated 1 October, from the Department regarding the Publication of the Air Pollution in the UK 2024 Report.

Agreed: The Committee agreed to note.

The Committee considered correspondence from the Department, dated 3 October, providing an update on the next steps following the Nutrients Action Programme (NAP) Consultation

The Committee noted that a NAP Stakeholder Task and Finish Group, chaired by an external facilitator will be established to identify alternative solutions and actions for the Minister's consideration for a finalised NAP for 2026-29. There will then be a further eight-week public consultation, after which final proposals will be brought to the Executive for approval.

The Committee noted it has a NAP event planned for 13 November and further details will be provided to Members in due course.

Agreed: The Committee agreed to note

The Committee considered a memo from the Clerk to the Committee for Finance, dated 2 October and noted the Finance Minister is currently considering whether to proceed with an October Monitoring Round and if so, a commissioning note will issue to departments with a tight turnaround.

Agreed: The Committee agreed to note.

The Committee considered correspondence, dated 29 September, from Peter Martin MLA Chair of the Committee for Infrastructure to Minister Muir regarding the A5 Western Transport Corridor asking what evidence or evidence-based assurances were either sought by the DfI or provided by DAERA to inform the decision taken by Minister Kimmins to proceed with the project.

Agreed: The Committee agreed to note.

The Committee considered a copy of the Landworkers' Alliance paper, entitled "A Market Garden Renaissance for Northern Ireland" which advocates for more support for small scale, local agroecological grown vegetables and fruit.

Agreed: The Committee agreed to note.

The Committee considered the 46th Examiner of Statutory Rules report dated 1 October.

Agreed: The Committee agreed to note.

The Committee considered the Report of Proceedings of the Agricultural Wages Board 2022-2024.

Agreed: The Committee agreed to note.

10 The Committee considered the Consumer Council's research report titled "Enough on their plates? The food concerns and lived experiences of young adults in Northern Ireland."

Agreed: The Committee agreed to note.

The Committee considered correspondence from an individual, dated 3 October, regarding Wastewater Discharges in Strangford Lough, including a copy of Minister Muir's response to the query regarding compliance with the Water Framework Directive (WFD). The Committee noted that the individual has requested that it consider whether the response adequately addresses the legal obligations under the WFD.

Agreed: The Committee agreed that in the first instance the Clerk will speak informally to legal services and report back to the Committee at the next meeting.

The Committee considered correspondence from the Department, dated 7 October, regarding an update on the security of electricity supply and the actions DAERA has taken to assist in responding to concerns raised by the Department for the Economy. Executive approval was given to vary the permit to run up to 1145 run hours until the end of the year.

Agreed: The Committee agreed to note.

15. Forward Work Programme

The Committee noted the draft Forward Work Programme.

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

16. Any Other Business

There was no other business.

17. Date and Time of Next Meeting

The next meeting of the Agriculture, Environment and Rural Affairs Committee is on Thursday 16 October at Room 21 in Parliament Buildings at 10.00am

The meeting was adjourned at 1.20pm

Signature:

Robbie Butler MLA, Chairperson

Dated