



Northern Ireland
Assembly

Committee for Agriculture, Environment
and Rural Affairs

OFFICIAL REPORT (Hansard)

Current Issues: Mr Andrew Muir MLA,
Minister of Agriculture, Environment
and Rural Affairs

6 June 2024

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Tom Elliott (Chairperson)
Mr Declan McAleer (Deputy Chairperson)
Mr John Blair
Miss Nicola Brogan
Mr William Irwin
Mr Patsy McGlone
Miss Michelle McIlveen
Miss Áine Murphy

Witnesses:

Mr Muir	Minister of Agriculture, Environment and Rural Affairs
Mr Roger Downey	Department of Agriculture, Environment and Rural Affairs
Mrs Katrina Godfrey	Department of Agriculture, Environment and Rural Affairs

The Chairperson (Mr Elliott): Minister, you are welcome; thank you. Katrina and Roger, you are welcome also; it is great to have you here. Over to you, Minister and your staff.

Mr Muir (The Minister of Agriculture, Environment and Rural Affairs): Thank you very much, Chair, Deputy Chair and members for inviting me along today and for facilitating the meeting. I know that it is 9.15 am — not your usual start time — but, originally, the Executive were set to meet at 11.00 am. I appreciate you facilitating us, and thank you for the opportunity to come along. I also thank members for their support to date in assisting us in addressing some of the key challenges facing my Department. Joining me today is my permanent secretary, Katrina Godfrey, and the finance director, Roger Downey. I am pleased to be here to update the Committee on my priorities.

Tackling climate change together is a top priority. I am determined to implement the ambition of the Assembly in the Climate Change Act (Northern Ireland) 2022 through the setting of carbon budgets and targets and delivering a climate action plan that is transformational, evidence-based and informed by stakeholders. I cannot do that alone; I need the support of all Members. We have no choice: we must do this together, and we must act now.

There are two steps ahead of us, the first of which is to set Northern Ireland's first of three carbon budgets and consider appropriate targets for 2030 and 2040. My Department published an analysis of the 16-week consultation that took place last year. I have shared a copy of the outcomes with the Committee. There was overwhelming support from the various sectors, stakeholders and the public for setting carbon budgets and targets in line with the Climate Change Committee recommendations. While I will lead on and progress the regulations, the level of carbon budgets is, ultimately, for the

Executive to approve before the relevant regulations are brought to the Assembly. I intend to table an Executive paper shortly.

The next step is to publish a draft climate action plan that will set out our pathways to meeting the carbon budget and targets. Reducing greenhouse gas emissions to alleviate the damaging consequences of climate change is a legal responsibility shared by all, and each Department is required to identify policies and proposals across their respective areas of responsibility to meet the carbon budget. Those policies and proposals will form the basis of the climate action plan, along with other legal requirements, including just transition and nature-based solutions. To put us on a path to net zero, those policies and proposals have to be ambitious. As they stand, our current policies will not be sufficient. That is a challenge for us all, not least in the current fiscal context but also in terms of our capacity to develop new policies and to operationalise them at pace.

All of the policies and proposals that have been put forward are being costed by Departments, and additional funding will be required. I have raised that requirement with the Finance Minister, and I will continue to make representations to the UK Government to secure the necessary investments. As for the process, the cross-cutting nature of the climate action plan means that the Executive will need to agree the draft plan prior to its publication for the required 16-week consultation. I will continue to engage with my ministerial colleagues to expedite climate action plan development, and I will keep the Committee apprised of progress.

We are making progress in delivering against another key requirement of the Climate Change Act, including the new regulations that came into operation on 3 May 2024, by setting climate change reporting duties on specific public bodies. I thank the Committee for the prompt way in which it considered and approved the regulations.

Protecting our natural environment is another of my key priorities. This year, we will incentivise and enable actions that protect and enhance our natural and marine environment and address challenges in water and air quality, soil health and biodiversity, including the introduction of an environmental improvement plan (EIP). I am pleased to say that I have brought a draft of the environmental improvement plan to my Executive colleagues for adoption, and I continue to engage with them on that. The publication of the environmental improvement plan, which is a statutory obligation, will provide an overarching environmental strategy setting the context and accompanying improvements to water quality. The statutory obligation was that that plan would be published by July 2023.

My officials have been finalising a report containing evidence-based actions to tackle the blue-green algal blooms in Lough Neagh and to secure longer-term improvements in water quality. Whilst I appreciate that that work has taken longer than anticipated, the report is nearing completion — when I say "nearing completion", I mean that it is very close. The actions set out in the report will complement those in the EIP that are relevant to improving water quality across Northern Ireland. I continue to engage with stakeholders: I know that they want to see action now, and I agree with that. I share that view, and on that basis, I will continue to engage with Executive colleagues to agree the environmental improvement plan. I am aware of the urgent need to make progress on Lough Neagh, and nothing should get in the way of taking action to address those issues.

Operationally, my Department has led on the development of an inter-agency monitoring protocol for blue-green algae. It sets out the roles and responsibilities of organisations and individuals, provides guidance on how water users should consider blue-green algae risk and details how my Department is monitoring algal bloom events this year. This is the first year of operation, and the approach will be reviewed at the end of the season. That protocol is available on our website for anyone who wants to see it.

Addressing water quality and ecological problems at Lough Neagh and across Northern Ireland will require a significant investment in the short and longer term, and inadequate resources will have a detrimental impact on the funding and the interventions that are needed. Failing to address the problems at Lough Neagh will, in the longer term, result in significant impacts, as we saw in 2023, and we would see those become the norm. That is simply not something that I can or will contemplate.

I have tasked officials to explore options for strengthening environmental governance, including the possible benefits of setting up an independent environmental protection agency.

Supporting sustainable, resilient and productive agri-food and fishing sectors is another priority for me. I want to secure sustainable productivity and assist in the development of effective, functioning supply chains, ensuring food security and high standards of disease control and public and animal health.

My vision for the time ahead aligns closely to that of the farm support and development programme; that is, to transition to a more sustainable farming sector by seeking to implement policies and strategies that benefit our climate and environment and, importantly, support our economically and socially significant agri-food sector. The principles of co-design, partnership working and effective communication will be key as the programme is introduced in a phased manner over the coming months and years. In addition, my officials recently provided updates on the carbon footprinting project along with the farm sustainability transition payment and the farm sustainability payment. I am keen for those initiatives, packages and measures to be delivered at pace and for our ambition to be strong. They will provide essential levers to contribute to our statutory obligations under the Climate Change Act 2022, with a firm focus on a genuinely just transition.

Another key priority for me is safeguarding animal health and welfare. As members will be aware, bovine TB is a key challenge not just for my Department but for hard-working farm businesses across Northern Ireland. Since coming into office, I have heard accounts of the difficulties faced by farmers enduring a TB breakdown, and I recognise the devastating impact that that has on our wider industry. The cost to my Department and to farmers is unsustainable. I have asked my Chief Veterinary Officer (CVO) to review all matters relating to bovine TB and to provide me with an options-based approach for the best way forward based on the most current scientific evidence.

I have also listened to the calls for reform of animal welfare, and I am carefully considering what is needed to enhance our protections for animals. I believe that we collectively delivered a quick win when Committee members supported the legislative consent motion (LCM) on pet abduction, but there is a lot more to do. I wish to introduce legislation on important animal welfare issues, but I am cognisant of the time remaining in the mandate and of what can be achieved with the resources available. I confirm that I intend to introduce legislation in several key areas in the year ahead. I plan to introduce a ban on the third-party sale of pups and kittens, and I intend to consult on the introduction of mandatory CCTV at slaughterhouses. That is in addition to ongoing work on public safeguarding measures relating to XL bully-type dogs. My Department intends to lay the first piece of legislation later this month, subject to Executive agreement.

Rural Northern Ireland is integral to our economic, social and environmental well-being and development. DAERA will continue to play its part, along with stakeholders, in building stronger, sustainable and diverse rural communities. On 1 April, I established a new future rural policy unit that will focus on reviewing and evaluating previous rural policy initiatives and engaging with other Northern Ireland Civil Service Departments, councils, public authorities and stakeholders to inform collaborative policy proposals that are mindful of the changed rural landscape. Work is ongoing on developing the tackling rural poverty and social isolation action plan, otherwise known in the "Department of acronyms" as "TRPSI", for 2024-25, and that will add to the £48 million that has been paid out since 2016. A review of the TRPSI framework has commenced, and the report is due back in early 2025 and will inform future policies. I will be considering opening the rural micro capital grant scheme 2024-25 and will make an announcement on the future of the scheme in the near future. I hear the calls for me to make an announcement on that, and I hope to do it shortly. I spoke to officials about that yesterday.

My Department also continues to support rural communities through PEACE PLUS, complementary fund and city and growth deals that total over £100 million of investment. Additionally, my Department has committed just over £8 million to the COVID recovery small settlements regeneration programme, which is led by the Department for Communities. That funding, with funding from other Departments, has allowed 30 projects to complete, with a further 58 projects across 10 council areas due to complete by December 2025.

As regards investing in science, research and development, I am focused on ensuring that my Department continues to invest in high-calibre science to support evidenced-based policymaking in tackling our big strategic challenges. Recognising that the health of our people is closely connected to the health of our environment and animals, I want to see all our policies underpinned by the One Health approach, and science and innovation are key to supporting that.

I cannot appear before you today without mentioning the Budget. You will be aware of the extremely constrained financial position that faced the Executive when opening budgets were set for this year. On 25 April, the Executive approved the Budget for 2024-25 and allocated DAERA a non-Treasury-earmarked resource departmental expenditure limit (DEL) allocation of £243.8 million, which was £0.2 million less than the equivalent closing allocation in 2023-24. That is an extremely difficult outcome for my Department. Since then, I have worked with my officials to determine how DAERA's limited financial funding should be allocated. That work has recently been concluded. Difficult decisions have

had to be made to help to manage the rising costs of statutory obligations such as bovine TB compensation, other inflationary contractual pressures on pay and operational costs and new, additional work on climate change and Lough Neagh, within a reduced budget.

Before I finish, I will clarify the situation in relation to the Windsor Framework (Implementation) Regulations 2024. My letter to the Speaker on 22 May clarified the areas that were returned to my direction and control by the Secretary of State as of 17 May 2024. In summary, responsibility for disease awareness, preparedness and control in relation to animal and plant health has once again been handed back and is mine as a result. Direction and control of the movement of goods and animals to and from GB, including the operational arrangements at ports and airports and the new EU laws that replace regulations, under annex 2 to the Windsor framework has been retained by the Secretary of State for Environment, Food, and Rural Affairs.

Chair, before I conclude my opening remarks — I look forward to taking questions — I have one brief comment. The past couple of weeks in the Department have been extremely challenging, because we are dealing with the budget situation, which means that we have to take difficult decisions. We will not shy away from those decisions, because we know that we need to balance our budget, but it is difficult. We would like to do an awful lot more than we can do. The June monitoring round will be critical for us. I thank all the officials, both those here today and those at our departmental headquarters, for all the work that they do to deliver services to the people of Northern Ireland within a constrained budget.

The Chairperson (Mr Elliott): Thank you, Minister, for that succinct summary. As you will probably appreciate, we will certainly do all that we can to help and support you and your Department where practical and possible, including with the budget. That is not to say, however, that we will agree on every matter.

I have a couple of questions before I bring other members in. I want all our questions to be quite focused, because I know that your time is limited, Minister.

Your last point was on the 19 areas of regulations that were taken back by the Northern Ireland Office (NIO). You told us about some of the broad areas that have been handed back: can you be more specific? You deposited a paper in the Assembly Library on the 19 regulations that went back to the control of the NIO: can you tell us which of those 19 areas have been brought back under your control?

Mr Muir: The way things have worked out over the past months has been extremely complex. I will try to detail it in a way in which the Committee and the general public will appreciate, because we also have to deal with stakeholders and the wider society so that they understand the situation.

Legislation was passed — the regulations. The default position in the Windsor Framework (Implementation) Regulations is that, essentially, all areas of the Windsor framework implementation are under the direction and control of the Secretary of State. Discretion can be used not to exercise that direction and control. The discretion was used not to exercise it in all areas other than the specified 19 areas. Animal health is included in those 19 areas. Those issues were brought up in the Assembly debate about TB and bovine viral diarrhoea (BVD) etc.

Up until the making of the regulations and the publication of the statutory guidance, there was significant engagement with the UK Government on those matters. Alongside officials, I put in a lot of time and effort behind the scenes to raise concerns and to understand what they were trying to achieve and to find a way to make it workable. The constitutional arrangements are, in some places, most unusual. To be clear, it would not be my preferred option, but, as the Minister, I am pragmatic and solution-focused.

The 19 areas included animal health. That is why those issues came up. There was a lot of engagement with the UK Government, highlighting the concerns about the impact of that. We got an interim arrangement, which, as I outlined, is for the direction and control of disease awareness, preparedness and control not to be retained, but direction and control operational arrangements on movements between GB and NI was kept by the Secretary of State. The officials have had ongoing engagement to get clarification on a couple of small points. It is an interim arrangement, and we want to get a much clearer way forward. However, we have landed in a position, operationally, that allows officials and me to work through some of the issues, such as bovine TB, that face people in Northern Ireland. If there is any other way or means by which, you think, we could usefully get public understanding around that, we are happy to facilitate engagement.

The Chairperson (Mr Elliott): It would be helpful if you were able to tell us which or how many of those 19 specific areas are back under your control, Minister. You told us that 19 regulations are retained by the NIO, but you have not told us how many or which of those are back under your control.

Mr Muir: I will let Katrina come in on that. It is a difficult situation, because Katrina now has two bosses and has been dealing with the operational impact, as well.

The Chairperson (Mr Elliott): That is all the more reason that we and the public should know the areas.

Mr Muir: Yes, 100%, Chair.

Mrs Katrina Godfrey (Department of Agriculture, Environment and Rural Affairs): Absolutely. The Minister is right: the functions of the Department have not changed, but the Minister who directs civil servants has changed for some areas. It is not as straightforward as saying that there were 19 areas and there are now 18, 17 or 16. The areas that have been handed back are part of animal health law as it relates to disease awareness, disease prevention and disease control. As many of you will know, however, there are no neat, clear dividing lines. In many cases, you do not go from disease prevention to disease control without getting into animal movement. The situation with that is still not as clear as, I suspect, the Minister would like it to be.

Mr Muir: No.

Mrs Godfrey: We are working to see whether we can get a more helpful narrative on those 19 for the Committee and others, so that it is clear what that means in layman's terms, so that we can explain what a particular piece of EU legislation is for.

The situation is still not entirely clear on animal health. There is a likelihood that it will not become clear until we are dealing with a particular situation and have to ask, "In this exact situation, where do Minister Muir's boundaries start and end, and where do the Secretary of State's boundaries kick in?".

There is also a challenge in that this is not the best time in the world to be getting clarity on new areas of policy, as we are in the middle of a general election campaign. I suspect that we will not have perfect clarity for some time, but we are working closely. To be fair to UK Government (UKG) colleagues, they are working closely with us so that, as cases emerge, we can triage them to assess whether they are to do with disease control and awareness or veer into the area of movement and trade, in which case, they would be for GB Ministers.

I am not sure whether that helps you a huge amount, Chair —

The Chairperson (Mr Elliott): It does not help at all, Katrina. *[Laughter.]*

Mrs Godfrey: — but that is the reality in which officials are working.

The Chairperson (Mr Elliott): So, really, you are telling me that, almost a month after some of those powers have been given back to you, you still do not know exactly what they are. You know the broad outline of them.

Mr Muir: We know the broad outline, yes. For example, I have confidence that I have direction of control for policy on the way forward on TB. What the UK Government departed on in relation to that is most unusual in constitutional terms. I outlined my significant concerns around that and the fact that other options would be available to them, such as powers in the European Union (Withdrawal) Act 2018, but they decided to proceed, so we are working through that. The fact that a general election is under way makes it a bit more difficult to get full clarity on the issues.

I get your concerns, because I share them: it is important that the public have clarity on the issues. We are working through the issues and will seek to engage with the Committee to bring any further clarity we can.

Mrs Godfrey: I will add that the areas that the Secretary of State retains are those where disease control tips into movement, such as, as the Minister mentioned, operational arrangements at ports and

airports, anything that concerns the movement of goods, policy development and legislation that impacts on movement.

The Chairperson (Mr Elliott): There seems to be more clarity around that than around what powers have come back here.

Mrs Godfrey: Yes.

The Chairperson (Mr Elliott): It seems that there is more clarity around what has been retained with the NIO than there is around what the Department has got back. That is worrying, because, as you said, we will not know about some of this until it is tested. That almost sounds like making law and not knowing what it will mean until it goes to court. That is worrying and difficult for the people who are trying to manage it.

Mrs Godfrey: The key thing, though, Chair — it is maybe worth saying this — is that the Department retains all those functions. It is not that the Department has lost any functions, but, in some areas, the Minister to whom we, as officials, are accountable has changed. The Department has not lost any functions; it is really important to make that point.

Mr Muir: Yes, it is important. I will be as flexible as I can on this, but I have to be conscious of it. I do not want to create difficult situations for my officials where they are under the direction and control of a different Minister.

The Chairperson (Mr Elliott): So you have to serve two masters.

Mrs Godfrey: I do indeed.

The Chairperson (Mr Elliott): Minister, I have another point on your top priority. I note that, when you were previously in front of the Committee, you said:

"Nothing will be gained from pitting agriculture and environment against each other. We must all move forward together with an understanding that our economy and the environment are intrinsically linked",

and you went on to talk about the "full remit" of the Department. You have clearly set out today and in financial briefing documents that climate change is your top priority. You are setting that well above agriculture. That goes against what you said to begin with, when you indicated that you would try to serve all parts of the portfolio equally. Clearly, you are not now doing that.

Mr Muir: I would not entirely agree with that Chair, OK? Agriculture is a significant element of my portfolio, as is reflected by the funding arrangements for it, with over £300 million of earmarked funding from His Majesty's Treasury. There are numerous examples in agriculture of good work being done to reduce greenhouse gas emissions. To be honest, that is becoming integral to the industry, and we should be proud of that. As Minister, I want to help people along the way on that journey. I meet processors and single retailers, and they are looking for action on climate change. I am about supporting the agriculture sector to make that journey.

We have legal obligations on climate change. It is the issue of our generation. It is important that I lead on that, but I need to work with Executive colleagues to achieve the progress that we want to deliver for the people and society of Northern Ireland. I am clear that a lot of work is being done on agriculture, but it is the Department of Agriculture, Environment and Rural Affairs, so I need to ensure that I represent the entire Department. I am doing that, as reflected by my engagement with stakeholders. There is sustained engagement on the issues. If I were to say that climate change was not a key priority for me, a lot of people would question my understanding of the issues that face the agriculture sector. I have seen those issues in flooding and —

The Chairperson (Mr Elliott): There is a difference, Minister, between being a significant priority and being the top priority. You have clearly set it well above other sections of your Department.

Mr Muir: It is only fair that Ministers set priorities; there is an expectation that they will do so. You know where the funding allocation goes, and that reflects its importance to me. I have to work within the envelope that I have got. I am allocating significant elements of the envelope — hundreds of

millions — to agriculture. When, as Minister, you take over a Department, you need to set priorities so that your officials understand where you are going. To be honest, anyone who knows me would find it strange had I come into the Department and not said that I wanted to prioritise climate change. It is an issue that the Assembly voted for in passing the legislation in 2022, and I have legal obligations around that.

The Chairperson (Mr Elliott): Yes, but I make the point that there is a difference between it being a priority and it being the top priority; that is where I see the difference. I have a load of other questions, but, to be fair to other members, I want to give them a chance.

Mr McAleer: Thank you for your presentation, Minister.

I will go back to the priorities list. I note that building strong rural communities is sixth priority, and your presentation referred to playing a part in building strong communities. In the previous briefing in March, you said that officials would seek early ministerial direction on the development of a future rural policy to replace the rural development programme (RDP). There is anxiety among rural community groups and, indeed, the sector that there has been a lack of progress. I think specifically of the replacement for LEADER: it was priority 6 of the previous rural development programme, and axis 3 LEADER grants were in the one before that. The Department had been working on setting up a rural oversight committee to look at a successor to LEADER. Where is the rural oversight committee, and where is the new rural policy? I am not talking specifically about TRPSI; I am talking about what was priority 6 of the old rural development programme, Minister.

Mr Muir: I consider this to be important. On the issue of rural development, we live in a different landscape from what we had with previous policy. In my opening statement, I outlined the work that we are doing to set up a unit in the Department to look at future rural policy, and there will be engagement with stakeholders. It is important that we do that at pace with the resources that we have, because we also want to utilise the funding opportunities to get that out to rural communities.

I understand the importance of this. I engage with rural communities regularly, and I see the issues that face people. There are significant issues, for example, with childcare. We need to reflect those in that policy. I will engage with officials. It is not for lack of desire from me: I think that it is key.

Mrs Godfrey: That is exactly right. When funding is so incredibly tight across the public sector, we have to make sure that we are clear on the impact that an updated rural policy should have, what it is for, what it will deliver and what it will focus on. We cannot step into areas that other Departments fund, but we can be an advocate for rural communities. There is a huge opportunity to do more of that.

Given the limited funding that we have, it is also about how we harness other sources of funding. The Minister mentioned PEACE PLUS. We know that there are opportunities through the complementary fund, the Shared Island Fund and other funds. How do we make sure that we have a clear direction of policy that is fit for the second quarter of the 21st century and is absolutely, ruthlessly clear on impacts so that we know that we are delivering?

As the Minister mentioned, a lot of work has been going on to evaluate previous schemes. We are looking at where we used to talk about outcomes to see whether we can answer the crucial question of whether anybody is better off. How will we know that it made a difference in the area that it was supposed to target? What are our metrics? How can we satisfy ourselves that it is good value for money? It is crucial that we get it right. We will only do that with input from stakeholders. I shared advice to the Minister on what the three, four or five top areas of impact ought to be. We will need to do that in the coming months with whatever resources we can put to it.

Mr Muir: There is stuff that I want to do, including a review of the Rural Needs Act (Northern Ireland) 2016, which has legislative obligations. I need resources, but that is important. The Programme for Government will be absolutely critical, because what we do will require buy-in from Executive colleagues. I will be a champion for rural communities, but I need other Departments to buy into it in the Programme for Government. To make it effective, we need to do more and to do it differently.

Mr McAleer: It is really important to proceed on the commitment that was made and get that rural oversight committee working so that there is grassroots input into decision-making.

Minister, the unfortunate thing, I suppose, is that rural regeneration falls to your Department. You will be aware, as I raised previously, that the regeneration focus of the Department for Communities is on

settlements of over 5,000 people. Therefore, in many rural constituencies, such as mine, the only areas that the Department for Communities will fund for regeneration are the towns. In my constituency, that is two towns, one of which is Omagh. We have come to the end of the village renewal scheme, the basic services scheme and the old rural development programme, so we really need to get something to succeed those. I cannot emphasise the importance of that enough.

Mr Muir: I totally get that. It is a point well made and something for us to follow up on.

Mr McAleer: Thank you.

Mr Blair: Minister, it is good to see you and your officials this morning, as always. I am grateful for the explanation of complicated processes that you have inherited, having been in post for only a few months. Some of the practices and policies that we are talking about today have been ongoing for years, including the outworkings of Brexit through the Windsor framework, which, not so long ago, some thought, would be fixed with a couple of cameras and a change of Prime Minister. It is, of course, much more intricate than that.

I will move from that to the complications of the environment and the environmental policies and governance review that you announced. First, in the context of the news in recent days that there were hundreds, it would appear, of environmental breaches by one organisation that were not followed up or acted on — I stress again that some of those practices were inherited — how is the environmental governance review going? What attention is being paid to Lough Neagh in particular?

Mr Muir: I thank the member for his question. Environmental governance is important to me and the Department. On taking up office, I asked officials to do a scoping study on where environmental governance sits in Northern Ireland. In the context of EU exit, we have a changed landscape. We have the Office for Environmental Protection (OEP), but, as members will know, that is not equivalent to an independent environmental protection agency. We also have the Northern Ireland Environment Agency (NIEA), which, to all intents and purposes, is part of my Department. That scoping study is largely complete. I recently had meetings with officials about the next steps, and I will be announcing those next steps.

It is important that people know that I believe in an independent environmental protection agency. I do not believe the current arrangements are fit for purpose. We need to engage. We need to do a call for evidence to get views and opinions. If we are to go forward with the New Decade, New Approach (NDNA) commitment to have an independent environmental protection agency, we need to ensure that we create something that is fit for purpose and will deliver for the people and the environment of Northern Ireland. We need to do this right, and that is what I am committed to. I am acutely aware of people's concerns about the environment. It is on the news every day. It would be negligent of me not to take action, and I am doing a number of things on it.

Mr Blair: I thank the Minister for that. I would like to draw out some detail. I said not so long ago in this Committee and to farming representatives that no red tractor badge or food accreditation in the world compensates for the destruction of the natural environment, because that action will seriously undermine the credibility of the product of all sectors — tourism, local economy and community life — in rural areas. Many rural people are also massively concerned about the environment.

On the business of environmental governance, the review and the movement towards, hopefully, an independent environmental protection agency is most welcome. Can you give us any information today on the attention that might be paid to enforcement? The example that I gave, which came to the public's attention in recent days, has clear enforcement links. Enforcement around Lough Neagh is key so that actions are taken to rectify a deteriorating situation. The public perception around enforcement is that, often, the outcomes, in terms of fines and penalties, are nowhere near as tough as they should be. I know that you are not responsible for the outworkings of the law, but I am keen to know if the Department is paying any attention to that.

Mr Muir: I am aware of the concerns and issues around Lough Neagh and the environment in Northern Ireland, particularly in relation to water quality. My approach and that of my Department will essentially have four strands. The first is education, which, we know, is critical. We are doing and plan to do lots in that area. Other areas are incentivisation and investment. We need to ensure that people take up the available technologies. There are also issues for the Department for Infrastructure with regard to investment in waste-water infrastructure. Let me be clear to the Committee that those areas of education and incentivisation and investment are really key; I strongly believe in them. However, we

need to do more on regulation and enforcement. My Department is taking a number of actions on that, including a review of current enforcement policies and arrangements. There is more that we need to do, and I am working with officials to do more.

In the budget, there has been a prioritisation of resources for the Northern Ireland Environment Agency. That will include setting up an enforcement team. There is, obviously, a process to get people in post. There will be over 20 people focused on enforcement in the Lough Neagh catchment area. That is critical. Another aspect is fines and penalties. I have engaged with the Justice Minister, and we have agreed that there should be a review of the sentencing framework in terms of fines and penalties. It is important that that is done. I understand the public concern, and the Justice Minister and I are determined to act.

Mr Blair: Thank you, Minister. My final point is on something that we have touched on before. It has become known through your answers here, in the Chamber and in public commentary that you are waiting to get an environmental improvement plan to — or through, as I put it recently — the Northern Ireland Executive. Has there been any progress on that?

Mr Muir: I tabled the environmental improvement plan to the Executive in March, and I continue to engage with Executive colleagues on it. I hope that that will be agreed in the near future. There was a statutory obligation to agree the environmental improvement plan last July, and that date has passed. It is absolutely critical that we do that.

Mr Blair: OK. Thank you.

Mr McGlone: It is good to see you, Minister and officials. Minister, I will pick up on the point about the reported 500 breaches at Moy Park that John referred to. It is reported that those led to significant pollutants entering the watercourse. Are you conducting an investigation at the Department of those 500 breaches to see what actions were taken? It seems that inertia was the order of the day. Can you give us some insight into what actions you have initiated on those reported breaches?

Mr Muir: 'Spotlight' was broadcast on Tuesday night and was extremely uncomfortable viewing for me and, I would say, for many people in Northern Ireland. I have engaged with officials. I received further information yesterday, and I plan to meet officials again next week in relation to this, because it is important that, as Minister, I do my due diligence on what has been reported. A number of issues were reported in the documentary, and I will follow up on those.

The situation in Lough Neagh is serious. I have a draft action plan and report ready to go. There is one outstanding query, and, once I get that cleared — hopefully today — I will send it to the Executive. The Executive meet next Thursday, and I urge the Executive to agree it, because we need to move. The Department is already doing a lot of work on the issues around Lough Neagh. We are scaling up the enforcement team. However, it is essential that there is a cross-departmental approach. It is absolutely critical that we get the report agreed. We can then move forward and publish that report.

In the documentary, Patsy, there were also allegations about waste crime. I take waste crime extremely seriously. That is an important issue, and there is engagement with the criminal justice system on it. I want to do work on the sentencing framework, but there is also engagement with His Majesty's Revenue and Customs (HMRC) and the National Crime Agency (NCA), because we need to take a much stronger approach to waste crime and ensure that the polluter pays. It is extremely concerning not just for me but for the people of Northern Ireland.

Mr McGlone: I was coming to Lough Neagh, Minister; I am glad that you mentioned it. You mentioned evidence-based actions. The last time you were here, in March, you referred to a scientific or expert group that had been set up. Is that where the evidence is coming from? Following on from that, could you indicate to us the budget that is likely to be required from the Department and with input from other departmental colleagues? The Department for Infrastructure would certainly figure in that.

Mr Muir: In the context of the blue-green algae blooms that emerged last year, a group was set up to consider and develop a report based on science and evidence. That is the report that, as I mentioned, we are ready to take to the Executive.

On investment, a lot of scoping work has been done. We need to move quickly, but we also need to follow proper processes in procurement, staff recruitment and all the rest of it. In the report, there is

quantification of the initiatives that will be part of that. A research study on the specifics of the Lough Neagh issues will, hopefully, be completed soon.

We all know the figures on causation: approximately 60% from agricultural run-off; just over 20% from waste-water infrastructure; and about 10% from septic tanks. We do quite a lot on farming support. The future farm support and development programme is key to enabling interventions to deal with issues such as agricultural run-off. One of the significant investments required is in waste-water infrastructure. I come to the Committee to make that case on behalf of John O'Dowd, because it is important that we have funding to invest in that infrastructure. The report will quantify what is needed, but significant investment in waste-water infrastructure is required.

Mr McGlone: Thank you for that. I am glad that you took me on to my next question, which relates to the future of farming. A big issue that keeps coming up is just transition, which seems to be a nebulous theory. Have you come to a clear definition of what that means to the Department, and are you clear about the funding that will be put into it? Also, has the biodiversity scheme, which was to be included, been delayed?

Mr Muir: The future farm support and development programme is underpinned by a just transition. It is about mainstreaming understanding of that. I have engaged on a number of occasions with current UK Ministers — I use the term "current" — but also shadow Ministers on future farm support and development programme funding in Northern Ireland and made it clear that we need to increase that so that we can achieve a genuinely just transition. Our current level of funding is challenging. That is what I am doing on that. We will have to take decisions on the just transition fund for agriculture and how that is defined. We will engage with the Committee on that.

Mr McGlone: That is the big issue. It seems to be a fine idea in theory, but the nitty-gritty of what it means in practice to people in rural communities still has to be defined.

Mr Muir: I totally agree. It is important that we understand the importance of language and bring clarity, and I intend to do that; that is critical.

I think that the scheme you are referring to is Farming with Nature. I am keen on that and passionate to see it rolled out, and I have been engaging with stakeholders on it. We have to ensure that anything that we take forward has a business case for which I can get Department of Finance approval. Work is under way. We will want to launch pilots at the beginning of next year. I want to go quite fast, but we also need to follow processes.

Mrs Godfrey: I just want to emphasise the point — stakeholders have been clear on this — that it would be wrong to launch the wrong scheme. The ambition and understanding that we have post the Climate Change Act is such that we need to make more progress. We are having constructive engagement with environmental and agriculture stakeholders. We will, as the Minister said, have that in place next year. There is a window, as you will understand better than I, in which it is best to do your benchmarking on biodiversity. If you do it at the wrong time of the year, you almost —

Mr McGlone: Just to be clear, it has not been delayed.

Mrs Godfrey: It was planned to be in 2025, and I still hope that it will be. There was a point when we thought that it might have been possible this summer, but I do not think that that will happen.

Mr Muir: After this meeting, I am meeting stakeholders in the agriculture policy stakeholder forum. We will continue to engage on this. We want to do it as quickly as possible, but we also need to make sure that we get the business case signed off.

Mr McGlone: Thanks very much.

Mr Irwin: Thank you for your presentation. We all understand the importance of Lough Neagh to Northern Ireland. You said, I think, that there will be an increase in the number of farm inspections. Given that farmers can be fined through cross-compliance penalties in their single farm payment, farmers will think that they are an easy catch for the Department. While other industries and people have to be brought to court, farmers can simply be fined through their single farm payment. Will you give an undertaking that, if issues are found, your inspectors will work with farmers to resolve those issues without throwing the book at them?

Mr Muir: Thank you, William. I will not be throwing a brick at anyone — OK? — and I will not be an easy catch for anyone. This is a clear message for anyone who contravenes environmental legislation: while I am Minister, there is more chance that you will get caught — that applies to everyone — and I will review the sentencing framework and the penalties. I have made it clear that we need to call time on the arrangements in the statement of regulatory principles and intent (SORPI), which is another acronym that is knocking about, that are in place between the Northern Ireland Environment Agency and Northern Ireland Water (NIW). I will engage with the Minister for Infrastructure on that. The arrangements, which date back to 2007 — they have been there for quite a while — are not tenable, given the lack of investment in Northern Ireland Water and the fact that those could be used in considering whether to take forward action on Lough Neagh. They need to be reviewed.

I am clear that it is not acceptable for anyone to be engaged in anything that is in contravention of environmental legislation. It is important to engage with people, and that is why education absolutely underpins all the actions that we take on Lough Neagh. What you want to do is engage with people and take forward initiatives such as the one in the upper Bann catchment area, where the Rivers Trust and Agri-Food and Biosciences Institute (AFBI) engage with farmers on a one-to-one basis and encourage them to, for example, plant trees and hedges beside the river to ensure that we have better farming practices.

On cross-compliance penalties, you are all aware that, under the future farm support and development programme, there will be new arrangements associated with those, on which there has been important engagement with stakeholders. I cannot stand over the decision on cross-compliance penalties that Minister Poots took in 2022 prior to leaving office. I have therefore asked officials to commence work to reverse that. It is important that, as Minister, I show leadership. They are difficult issues, but I will not shy away from them.

Mr Irwin: Minister, you must accept, as some departmental officials do, that some cross-compliance penalties — maybe we could point out the issue in a private meeting with you at some stage — were totally out of kilter, given that, for a minor offence, farmers were being fined tens of thousands of pounds. If they had been brought to court, they would not even have been fined £500. There needs to be some realisation about penalties.

Mr Muir: There will be engagement with the Committee further to the engagement that I have had with officials on my desire to reverse that decision. I understand the points that you make. However, it is important that we show leadership on the issues, and I will not shy away from that.

Mr Irwin: You a made a decision a few weeks ago to go to the Assembly and say that TB was no longer under your remit: was that decision flawed?

Mr Muir: The decision on the powers in relation to TB?

Mr Irwin: Yes. Did you not jump the gun by announcing that to the Northern Ireland Assembly, when the Northern Ireland Office told you that that was not the case?

Mr Muir: I am not aware of the correspondence that you cite in respect of the Northern Ireland Office telling me that that is not the case. It is important that I answer questions in the Assembly honestly and truthfully. We received correspondence subsequent to the engagement in the Assembly in which those powers were handed back. We had a discussion on the issue at the beginning of the meeting. I sincerely, honestly and truthfully had a clear understanding that those powers were taken back in terms of the Windsor framework 19 and subsequently handed back. I have shown immense forbearance on the issue, which arose from a law that the UK Government, working alongside your party, developed. I am working to deal with the issues arising from that, and I will continue to do that, because I am focused on solutions.

Miss Brogan: Minister, I thank you and your officials for coming here this morning. I had a couple of questions about the Lough Neagh action plan. I am really glad to hear that you are moving quickly on it and hope to get Executive approval for it next week.

Mr Muir: That is critical.

Miss Brogan: You understand the pressures that locals feel on that issue, knowing that we are coming back into the summer months and the blue-green algae is starting to appear again. There is a real urgency on that. I am glad that you are making progress on it.

You will also know that, as a Committee and even as individual members, we have been contacted by companies that have come up with solutions to the blue-green algae issue; in fact, we will hear from some of them in the Committee later today. Have you been engaging with those companies? Are their potential solutions part of the action plan?

Mr Muir: I totally share those concerns in relation to Lough Neagh. A section on our website shows what actions we have taken thus far — the protocol and all the information is there — but we need to go further. That is why it is important that we get the Lough Neagh report and the action plan agreed by the Executive as soon as possible. That is really critical.

Suggestions come through thick and fast. It is important that we establish a process whereby we can consider those. We can then fund the suggestions that have potential merit to take them to the next stage. Part of the consideration is to set up a fund — obviously, I need to bid for funding — to which bodies can apply. A number came through that I am personally interested in, but we need to establish a process. We cannot just pick people at random. Some are a bit more expensive than others as well. We need to give it proper consideration. A lot of people have put a lot of time and effort into developing potential solutions. That is positive.

Miss Brogan: Some companies indicated that they need to interact with the lakebed, which, if I am correct, belongs to Mr Ashley-Cooper. Have you had any conversation with him about getting access to that?

Mr Muir: Access to the bed and soil of Lough Neagh?

Miss Brogan: Yes.

Mr Muir: There are a couple of issues around that. I understand the public debate on the ownership of Lough Neagh. Changing ownership will not immediately make the changes that we need. Let us be clear: some of the issues will take years and decades to turn around. However, I get the concern, and I get that Lough Neagh Partnership is doing work funded by the National Lottery. That is really useful. I encourage people to engage in that. My personal view — it is not a departmental view — is that community ownership would have a lot of merit. I will feed that through to the Lough Neagh Partnership for their consideration. There are examples of community ownership in Scotland.

One of the key issues around the bed and soil is sand dredging. I know that there are public concerns about that. I have asked for a scientific review to be undertaken on the impact of sand dredging. A fair amount is being done. I fully acknowledge the concerns around ownership, and I understand the work that the Lough Neagh Partnership is doing. However, I am also asking for that independent scientific review to be done on the impacts of sand dredging.

Miss Brogan: Fair enough. In the budget paper that your Department published, paragraph 21 indicates that £0.3 million has been allocated to communication on Lough Neagh. What exactly is that for?

Mr Muir: That comes back to the points that I made to other Committee members about the importance of education and awareness. We want to undertake a number of initiatives. The College of Agriculture, Food and Rural Enterprise (CAFRE) plays a critical role. There is also potential in communications and stakeholder engagement. This is critical. I would like to get us into a situation where we do not have to take enforcement measures, because that is reactive. It is best to ensure that it does not occur in the first place. Education, engagement and communication are important, and that is why that funding has been set aside.

Numerous organisations around the Lough Neagh catchment area already do excellent work. I want to partner with them, because they have the contacts and relationships to be able to do the work. That underpins a lot of what we have talked about. The focus is rightly on enforcement, but let us be clear: education, incentivisation and investment are absolutely critical.

Miss Brogan: I have one final question. I completely support your Lough Neagh action plan. It is an Executive priority and needs to be addressed, but it is not a statutory obligation, whereas issues

around bovine TB are. I see that you are making bids in the June monitoring round for funding for that. Does not knowing whether the money is there yet not put a lot of pressure on the likes of our chief vet and his staff? What was your thinking behind that?

Mr Muir: TB is the biggest pressure in my Department, but we did not get anything associated with that in the Budget settlement. We have made really difficult decisions to ensure that we can continue the compensation level at 100%; that is a statutory obligation. I will do everything that I can to ensure that we do that, but I need money through June monitoring. If I do not get that, the pressures in my Department will be unbearable. I want to keep the compensation rate at 100%, so it is key that we get the funding to do that. We will do all that we can in ensuring that, because I know that that is critical for farmers. I also want to be able to look at investment in additional testing and stuff that we were not able to do last year, so we are making funding bids associated with that.

I totally get the concern about TB. It is raised at every agriculture show that I go to. There are real mental health impacts of that issue when it comes to the reactors and herd breakdown. That is why, on Brian's first day as Chief Veterinary Officer, the first thing that I said to him was, "Go away and look at TB and come back to me with some solutions in relation to this". We do not need to sit in our working groups and come up with strategies and everything else; we just need clear actions. I will meet Brian next week about that, and we will work through it.

We are in a pre-election period of sensitivity, so there are challenges with what I can announce, but we are focused on the issue. Brian is laser-sharp and is bringing a different approach to what we can do. We need to deal with it. The impact that it is having on the farming community, never mind my Department, is really significant. Where we are is not sustainable. Hopefully, that is reassurance about how importantly I treat the issue and the need to address it.

Miss Brogan: As you said, Minister, it is a huge issue for farmers. It causes great stress for them. Some people might think that it is a bit risky to leave it to a monitoring round to apply for funding, but I completely understand that we have been underfunded and that there are huge budgetary pressures across the Executive. I get that point as well. Thank you.

Ms Á Murphy: Thank you, Minister, for coming this morning to brief us. I have a quick supplementary question about bovine TB off the back of Nicola's question. What steps do you propose to bring forward over the next few weeks in relation to wildlife intervention?

Mr Muir: I understand that that is a key part of the issue. I am aware of the legal challenge that was successful. I will discuss that more with Brian, as Chief Veterinary Officer, next week. I am hesitant to outline more, because there have been only a few brief conversations about it. It is important that I have that proper conversation with Brian and then come back.

The general election is on 4 July, and the Assembly goes into recess on 5 July. I do not know whether you want to, but I am happy to come back to you during recess to discuss these issues. There is some stuff that I cannot do because of the pre-election period of sensitivity, but, if you are willing to do that, I am happy to come here to engage on that. That is my level of commitment when it comes to engagement. There are lots of issues on which you want to engage with me. I will not be found wanting about coming to the Committee, but I know that there are challenges in that regard.

Ms Á Murphy: Thank you. Realistically, how far away are we from having a TB strategy?

Mr Muir: The reality is that we are quite far off the delivery of that, because we have a 10% infection rate in our herd. The reality on the ground is that we are quite far away from what we need to achieve. We need to get that rate down. Down South, it is 5%. If we could get ours down to 5%, a lot of us in this room would not rejoice but would say that that is a level of progress. Obviously, the ultimate aim is to eliminate TB.

It is also about the approach from my Department to animal health. We need to underpin it in a future farm support and development programme. It is an issue that affects productivity in farms. We want to find a different approach in which we mainstream our actions. Other issues, such as bovine viral diarrhoea, are affecting farm businesses. We, as a Department, can take actions, but we want to mainstream them in order to turn the situation round. I totally get that, and I am really keen to ensure that we take action on it.

Ms Á Murphy: Thank you. From a constituency point of view, Fermanagh had some of the highest incidence rates recently, and I know that a lot of farmers have suffered sleepless nights.

Are there opportunities for the Department to create a ring-fenced budget for rural community development out of the UK Shared Prosperity Fund?

Mr Muir: If that was a possibility, yes. I will take any money that is going for such development. Whatever colour of Government returns on 5 July, I will be straight to their door with a list of requests, one of which will be related to their fiscal policy. The fiscal policy that the United Kingdom Government are currently pursuing is devastating for Northern Ireland, because we are living from hand to mouth. We are not able to invest for the future around rural development, and investing in our rural communities is critical. I have had engagement on that with the current incumbents and shadow Ministers, so I have hedged my bets on where we could go on that.

It is important that we get the UK Government to understand that we need to invest in these areas. I am concerned that one of the proposals from one of the parties was to use money from the Shared Prosperity Fund for one of its flagship policies and stuff like that. We need that money in Northern Ireland and to be able to decide locally, in the Assembly and the Executive, where it goes. That is critical.

Miss McIlveen: The Minister will be pleased to know that most of my questions have been answered.

Regarding Lough Neagh, there is a genuine concern that, again, the farmer is being seen as the easy target, the bogeyman and the person who can be highlighted in the press and so on. I have a genuine concern about that and about how your action plan will be framed. Do you have a clear definition of the catchment area for Lough Neagh?

Mr Muir: I totally get your concern on that. That is why I am meeting the agricultural policy steering group at 11.00 am. It was important that I came to the Committee, but it is also important that I engage with stakeholders on the issue. It is important that the message on education, incentivisation and the role that waste-water infrastructure plays in that area is given clearly.

There is a map on our website of the catchment area. It goes down to County Monaghan. I have had brief engagement on the issue with my colleagues in the South, but I will engage through the North/South Ministerial Council sectoral meetings, because it is important that there is understanding. The catchment area is perhaps much wider than many people in Northern Ireland anticipate. That is why the environmental improvement plan is important; it is a strategic issue affecting Northern Ireland.

Miss McIlveen: I was going to ask about the timescale and urgency around TB, because it is a long time coming. We all know the pressures that that is creating on the sector, so I am pleased to see that we are coming close to the point of, maybe, an announcement during the summer. That is what you were indicating.

Mr Muir: That is my desire, because the issue affects the mental health of farmers. We need to show that we are taking action on it. There may be a difference of opinion on the actions, but we need to do something.

Miss McIlveen: The previous questions regarding wildlife are also important, because it will be regarded as significant if that could be included in any actions that are taken.

You have said that you have set ambitious targets around climate change and that there are challenges regarding the fiscal context. Departments are going to the point of costing up what the targets will mean to Northern Ireland before you go to the UK Government. If, when you go to the Government, they say, "You know something? Maybe your targets are too ambitious; perhaps, you're asking far too much", will you review your targets?

Mr Muir: The targets are set in law, and we are getting advice from the Climate Change Committee. That is where the evidence and science base are coming from. I have been clear that we need to be able to invest in the issues around climate change, because there are opportunities from that, as we have seen in the Artemis programme, for example. That is the importance of being funded correctly in Northern Ireland. I need to engage with my Executive colleagues on the climate action plan and how they can feed into it. It is an iterative process. I am also conscious that current and future generations are looking for action. We have to be clear that we need to step up on the matter. That is the process

that is under way. I am conscious of the Climate Change Committee's advice on that. I consider that to be important.

Miss McIlveen: While I appreciate that those targets are set in law, perhaps, there is still an opportunity to revise them if you get to the point where you feel that something is unachievable and we need to take a more stepped approach to it so that it becomes much more realistic and perhaps achievable. Will you be flexible on any of that?

Mr Muir: I will be flexible on the road map for how we get to net zero. That is the issue. Will I bring forward climate change legislation to undo the 2022 Act? No.

Miss McIlveen: I suppose that I am just trying to see how flexible you would be on that, particularly given the budget situation that we find ourselves in and the challenges with that.

Mr Muir: My ask is that the UK Government be flexible and allow us to invest in our legal obligations.

The Chairperson (Mr Elliott): OK, members. Thank you. I have a few members wanting back in, but I will not allow that, because I have questions myself, and, if we start all over again, we will be here for another three quarters of an hour. Apologies for that, members.

The Minister has given reasonably of his time here, and I know that he has to go to other meetings. We appreciate that, Minister. We also acknowledge your offer to brief us during recess, which we will discuss. I am certainly more than happy to do that, but we will see how members feel on that, Minister. Thank you.

Finally, I note your comments to Michelle about the Climate Change Committee. Of course, the Climate Change Committee's advice was ignored during the run-up to the legislation that came in. Anyway, we will leave it at that.

Mr Muir: That is for our next meeting.

The Chairperson (Mr Elliott): Thank you very much to Katrina and Roger as well.