



Northern Ireland  
Assembly

Committee for Agriculture, Environment and  
Rural Affairs

# OFFICIAL REPORT (Hansard)

Post-Brexit Agriculture Policy in Northern  
Ireland

13 February 2020

# NORTHERN IRELAND ASSEMBLY

## Committee for Agriculture, Environment and Rural Affairs

### Post-Brexit Agriculture Policy in Northern Ireland

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**Members present for all or part of the proceedings:**

Mr Declan McAleer (Chairperson)  
Mr Philip McGuigan (Deputy Chairperson)  
Ms Clare Bailey  
Mrs Rosemary Barton  
Mr John Blair  
Mr Maurice Bradley  
Mr John Dallat  
Mr Harry Harvey  
Mr William Irwin

**Witnesses:**

Dr Mary Dobbs	Brexit & Environment
Dr Viviane Gravey	Brexit & Environment

**The Chairperson (Mr McAleer):** I welcome Viviane Gravey and Mary Dobbs. I invite you to brief the Committee.

**Dr Viviane Gravey (Brexit & Environment):** Thank you very much for the invitation. We represent Brexit & Environment, which is a network of academics across the UK working on how Brexit is impacting the environment, but also Queen's. I am in politics at Queen's, and Mary is in law. We have had the chance to give evidence to a lot of Departments across the UK on these issues, and we are happy to finally be able to do it here.

Our briefing paper covers a lot of what has been talked about for the past three years across the UK on agriculture policy after Brexit and then focuses strictly on the Agriculture Bill as well, looking at general questions around the debates in GB right now on what is wrong and what is good in the Bill, and at specific issues for Northern Ireland. We are happy to talk through the different elements.

For us, a starting point would be that we cannot talk about future agriculture policy without looking at current agriculture policy. We need to look at what is good and what is bad with it and realise, as members will know, that there is a lot of diversity in how the common agricultural policy has been implemented in the UK. That means that we are not actually starting from a common policy, despite its name. There are big differences in how England, Northern Ireland, Wales and Scotland have looked at it. This also explains why we are seeing such a shift in England towards environmental public goods and paying public money for public goods. Due to the way the CAP was implemented in England, most of the money from the second pillar — rural development — was already going to agri-

environmental schemes. That is not the case in Wales, Scotland and Northern Ireland. We see lots of other differences, such as minimum claim size or whether there is coupled support, which is something that lots of people in the UK debate are not always aware of; the fact that there are a lot of differences in the CAP currently.

A lot of the debates around the CAP and the future of the CAP in the UK relate to the environmental aspect of it. That is because there are two general types of instruments in the CAP that matter a lot for this discussion, both of which were started in the UK and picked up at EU level: cross-compliance and agri-environment schemes. Cross-compliance is the idea that, in order to get any kind of agriculture funding, farmers have to comply with environmental rules, but also rules on animal welfare and good environmental practices. As Mary will confirm, this will likely be taken out of the UK Bill; we are going to get rid of cross-compliance. That raises huge issues around what is going to be a regulatory floor, because you cannot start paying farmers for providing additional environmental goods if you are not clear about where the regulatory floor or baseline is. If they are doing less, they should be fined: polluters should be paying for being so. If they are doing more, then perhaps they should be given money for it. It is the whole idea of provider gets. Where do we draw that regulatory floor? Whether it is the same between Northern Ireland and the Republic of Ireland, or between NI and GB, is at the heart of the debates that we are having now on the Agriculture Bill and the Environment Bill, both of which are going through Westminster.

That is my key point. More generally, the Agriculture Bill and the Environment Bill going through Westminster are the first agriculture and environment bills in a generation. That is very odd. I am French. We, while EU members, kept on having agriculture and environment Bills. We are seeing that, in the way that the UK has engaged with the EU, a lot of these issues were not really touched upon by Westminster. We have seen Europeanisation happening, but also devolution, which has meant that the devolved Administrations and Assemblies were, perhaps, engaging much more with these issues than Westminster. With Brexit and the discussion about taking back control, we have to deal with the question of who is actually ending up taking back that control. Will it be devolved or central? What are you actually going to be doing with the control? This is what makes this Agriculture Bill so different to others, as we are both talking about who has the power and the content of the policy.

**Dr Mary Dobbs (Brexit & Environment):** I will keep mine brief as I realise everyone is under time pressure. For the relationship between Northern Ireland and the UK Agriculture Bill, a large focus for you is on looking at how to engage with it and whether to approve it or suggest changes or to try and challenge it. Part of that question has to be about whether you want it to extend to Northern Ireland or not. One of the benefits that can be striven for right now is to use it as a breathing space to go and consider that it is not actually necessary to seek to have it applied to Northern Ireland as well. There are certain elements within schedule 6 that will apply, and certain UK components that will apply across, but what it can do is give you a little bit of a breathing space, because there is a lot to be dealt with at the moment beyond agriculture, but also in dealing with the protocol, looking at how that will shift and how the general context will shift and to say, well, actually the UK Agriculture Bill provides for the continuation of funding for the moment, along with the promises from the Government. It allows for the adaptation of the basic payment scheme, and it allows it to continue on for Northern Ireland for the moment. It allows for the continuation of the rural development funding for Northern Ireland and its differential treatment for the devolved administrations.

Looking at the UK Agriculture Bill, it is important as academics to ask, "What is the broader impact on the UK?", and we should all be looking at the broader impact on the UK, but there is also the more isolated question of how will this impact directly on Northern Ireland. Actually, for Northern Ireland, it is nearly a breathing space. Then there are questions about whether it over-centralises, and there are issues about agreement on agriculture, classifications and so forth. Also, if it is a breathing space, what do you want to do for the future? The civil servants have been undertaking great work along with the stakeholders over the last few years. They have got the draft agriculture strategy, which is a good starting point. Building from the bottom up is something that will hopefully get greater buy-in.

The Agriculture Bill has also got elements to learn from because, as we outlined in the briefing paper, there are a lot of issues substantively with the content — how it is being developed, the implementation and so forth — but there are also really nice positives. It deals with agricultural tenancies, and one of the oddities in Northern Ireland is conacre. Yet, maybe that is where we can actually adjust it and we can provide for long-term approaches. You have the briefing paper. I do not know whether you have had the opportunity to read it since it was last minute, and it is quite extensive — sorry. The Agriculture Bill provides for the amendment of agricultural tenancies within England, and it allows for them to be amended with the rule of arbitrators where it is to facilitate the objectives of the Bill and public money for public goods.

If we consider conacre 11-month tenancies — I realise they are not quite tenancies, but effectively they are 11-month use of land — it is very difficult to do long-term builds, and maybe we can look to the UK Agriculture Bill and go, "OK, they have public money for public goods. This seems quite nice. They have amendments for agricultural tenancies. This seems quite nice and useful." They have suggestions for general information. Now that gets very complicated, but there are definite learning points within the Agriculture Bill. If we take it as a breathing space and as something we can learn from, there is that aspect, and then there is the legislative consent about whether you actually want to approve it or not.

**The Chairperson (Mr McAleer):** Thank you for the briefing, Mary and Viviane. It was very informative.

**Mr Blair:** I thank Viviane and Mary for the presentation and the papers that they submitted. You use the expression:

*"the starting point is intra-UK divergence".*

Is there a lesson for us, and other Members of the Assembly and the Department, in that one of the things that we might wish to do in what you refer to as a "breathing space" is examine how Northern Ireland can keep up with change and divergence in other regions? I say "keep up" in terms of competing or collaborating where necessary. Is that a fair reflection on what needs to be done, or part of what need to be done?

**Dr Gravey:** I think that, in a way, the fact that we already have divergence should reassure us that there can be some divergence. It is OK to have different policies, to a certain extent, but, of course, there is the question of the impact on the UK single market. Here, we are seeing that a lot of work needs to be done on exactly how the UK single market is going to work.

In keeping up, with Northern Ireland being the smallest of the Administrations and the Northern Irish farming industry being the smallest, there is going to be a lot of pressure. I agree with Mary about breathing space, but I think that it is also about being able to pick your battles. Perhaps it is not completely about adopting the English approach. Having a bit of time allows you to look at what Scotland and Wales do, adapt those different models and not just develop everything here, because there will just not be enough resources.

On divergence, of course, we have to talk about the protocol as well. There are ways in which Northern Ireland will not be able to diverge as much from the status quo, because it will be bound by some EU rules that the others may not be bound by. It really all depends on whatever the future relationship is. Looking again at the protocol, we see that most of it is around food. The rules that Northern Ireland has to comply with are on food and animal welfare. There is actually very little on the environmental side, which is quite worrying; it is downward divergence on the environmental front. Northern Ireland is both constrained by the lack of resources and limited in how much it can diverge because of the protocol. It will be very challenging ahead.

**Dr Dobbs:** I would mainly echo what Viviane has said. First, it is not that scary with regard, in general, to the idea of having flexibility, but it depends how much divergence goes ahead. We have divergence currently; we can acknowledge that it is possible. It depends on the type and extent of the divergence. Currently, we have the same objectives and the same general procedures, and then we can either up the level or have variations, but we have a shared core at the same time. There is the potential for that to shift quite dramatically in the future. That could give us a competitive edge or it could give us, basically, the raw edge or raw side of the deal. That is very much about needing to keep communicating and seeing whether there are areas where we need to have shared approaches. There is a lovely phrase, "common frameworks". Whether they relate to the environment, food standards, the funding limit or funding approaches, there are variations. Scotland are taking their own approach. Wales have gone for the breather approach: they were pushing it, and they said, "We need a little bit more space."

There is no clear-cut answer. We always want that competitive edge for ourselves, but if we seek that competitive edge, and we take divergence to get that competitive edge, we risk everybody else's diverging to get the competitive edge as well. That could be more burdensome and challenging for us. Either they go for high quality and they bump it up much higher, or they start saying, "Well, we do not care about standards. We will push it down further and further." The rest of the UK is free to go and do whatever it likes, essentially, within international constraints and its own land constraints. In Northern Ireland, we have to comply with specific elements in the protocol. What would be preferable for

Northern Ireland, both to keep the competition relatively equal and to ensure that our market access is truly unfettered, is for the rest of the UK to comply with that as well — those specific baselines. From the environmental and food perspective, obviously, we would like decent standards. So there is the competitive element and the general standard element: we would like quality food and a quality environment.

**Mr Blair:** Further to that, Chair, with your permission, is the lesson therein that, if the quality of food is our USP, there needs to be a collaborative approach? Outside the Department that we are here to discuss, we should also think about the work that we do with the Department for the Economy and local councils through the community planning model, which is still evolving, given the importance of agriculture to the rural economy, and that we need to have a joined-up approach in selling, marketing and working for that USP, as I described it?

**Dr Dobbs:** Absolutely. Collaboration is one of the most beneficial approaches that you can take, whether that be to general food policy or more broadly.

**The Chairperson (Mr McAleer):** In your paper, Mary and Viviane, you make a very stark prediction that:

*"without direct financial support, approximately 30% of farms are likely to cease functioning, leading to unemployment, land abandonment and knock-on effects within the agri-food sector and rural communities in particular."*

You are talking about direct financial support; you are talking about the current schemes that we have, like the single farm payment, for example.

**Dr Dobbs:** Correct.

**The Chairperson (Mr McAleer):** So your assessment is that, without the single farm payment, 30% of farms are likely to cease functioning, leading to land abandonment. Presumably that would lead to very serious environmental implications as well.

**Dr Dobbs:** Yes. Rewilding is one thing, but land abandonment is also bad for the environment, or can have potentially negative consequences for the environment. The 30% evaluation is initially based on an assessment by a colleague of ours, Dr Ludivine Petetin in Cardiff, and supported by colleagues who work in economics as well, who have evaluated it. It is partially linked to the current heavy reliance on direct payments. Basically, nearly 90% of income for farmers — the total farm income — comes from payments and from funding supports coming into the farmers. A lot of our farmers — four fifths of them — are operating in less-favoured areas and are operating cattle and sheep farming. It is very difficult to make a living out of that type of farming. It is also very difficult to shift the type of farming that you are undertaking, hence they are very vulnerable. If we add in the broader contextual shifts at the moment, with uncertainties in the market, uncertainties about access to the market and the fact that we do not know what the future relationship will look like yet — even under the protocol, there are still changes that are going to come about — it just makes it very difficult for farmers to undertake their activities and to know for definite that they will be able to financially survive. That has important consequences for our society, for the economy and for the individuals themselves and, yes, very much for the environment.

**Dr Gravey:** To add to that, Ludivine's numbers were about DEFRA and about England at first, and if you compare the debates that are happening, the whole idea of keeping farmers on their land and minimising structural change is something you see in the debate in Wales, Northern Ireland and Scotland. You do not see it in the debate in England. It is not one of the objectives of the Agriculture Bill. Having farmers move out of agriculture is not considered a problem in England, but it could be considered a problem here, as it is in Wales and Scotland. It is really about what type of objective you want your future agriculture policy to have and whether it is about maintaining farmers on their land or maintaining jobs in rural areas that are linked to farming or not, and we are seeing a lot of differences here inside the UK currently.

**The Chairperson (Mr McAleer):** Mary, you mentioned the difficulties for farmers. Have you any assessment of the impact of the removal of the areas of natural constraint funding from farmers in the North given the fact that in the South it is very well funded?

**Dr Dobbs:** I do not have the knowledge to be able to answer effectively as regards the impact for them. I am aware that you are going to have individuals coming in from various organisations, so I will happily leave that to them rather than claim any expertise.

**Mr Dallat:** Thank you very much for the document; I find it extremely useful. In your introduction, you said it created a "breathing space". A breathing space in itself creates uncertainty for the future. I do not believe any of us would want to repeat the past: the flight from the land, the erosion of the rural community, the speeding-up of the closure of rural schools, the demise of small villages and small towns. It is all written here, because we all know that Britain has a population of 70 million people who are going to source food from the cheapest place they can find it. How can we protect people in rural areas, particularly those living in the hills, who are a critical part of the make-up of our population? If they read this document as I read it, there is desperate uncertainty there.

Rural people and small farmers are not crying out for charity; they are crying out for recognition of their contribution to where they live. Are there any ideas about how setting up co-ops can minimise what is coming down the line? Being realistic, there is a honeymoon period built into this to buy people over, but after that we do not know what will happen.

We are not England, and I am not being political. We are a completely different set-up in every possible way. What can you advise us?

**Dr Dobbs:** I am going to speak for Viviane for a second. We entirely agree with what you say about the differences in society, land make-up and so forth.

When I say a "breathing space", I do not mean that we should rest on our laurels and do nothing. It is a breathing space to take stock and ask, "What do we want our future society and land use to look like?". It is then about urgently setting into play meetings, the collaboration that you referred to, building on what civil servants and the stakeholder group have been doing, and seeing what bits of the Agriculture Bill you do and do not like.

There is some good stuff in there, but it is things that maybe work for England and not for Northern Ireland, and some bits are complex and do not work at all. Setting objectives and what you see the future of agriculture policy looking like at an early stage is important to help to resolve the uncertainties.

We should look broader than just the agricultural element and not silo the issues. Look at the infrastructure. Look at saying, "We are going to invest. We value our people. We are going to invest in rural communities. We will make it capable for you to stay where you live in these communities rather than trying to get everyone into Belfast".

It is not good for the people or the land for everyone to congregate and to have that land abandonment. It is about acknowledging the differences and values. You do not have to highlight the differences; it is about your values in Northern Ireland and saying, "These are our overarching objectives that we will have at the end", and we will implement resources.

The positive for the moment is that the Government have said that they will provide funding until 2024. At least we know that funding is coming into Northern Ireland, and we will have access to it. I know that it is for only four years, but at least you can guarantee that that will be available for that duration.

There are other things to push for. In the report, we refer to Lord Bew's review of the financing. The difficulty in the long term is that financing is part of the Barnett formula and the block grant. CAP ring-fenced it, we had it there, we could all access it for specific things, and you did not have to justify to the people that it was going to specific things.

Funding could be reduced in the future, specifically since it is proportionate to England's approach, but it also has to be justified more. Lord Bew's review dealt with certain issues but did not go very far in looking at future elements. One thing to consider would be to push for Westminster to agree to a broader review based on needs rather than spending in England. That then links into your objectives. If you can say, "We have good objectives here. We have valuable things we are trying to achieve and, in order to do that, we need x amount of funding", you can have that as something where you can say, "Well, actually, we will have a base floor. It will meet our needs for the future". That is a very political thing. We cannot contribute to that, unfortunately, but it is one thing that could be done.

The protocol provides some certainty. The UK Agriculture Bill does not provide a lot of certainty. It refers to information that may be required by the Secretary of State; they may provide all these different requirements. The protocol still requires compliance with specific elements of EU law on the production and quality of food. That must still be complied with. Yes, it can be referred to as bureaucratic red tape, but there is still certainty. We have spoken to a lot of farmers at a lot of events, and one of their big concerns is not the uncertainty regarding funding but uncertainty regarding what they will have to comply with.

Weirdly, everyone was, like, "Red tape, red tape, red tape". A lot of them said that at least they knew what was required, what they have to retain and what information they will have to provide. The protocol still retains some of that.

**The Chairperson (Mr McAleer):** Just before we move on, I want to ask you about something connected to what John said a moment ago about the prospect of Britain entering into a trade deal with other countries where it would, perhaps, import inferior food. In some ways, is our adherence to EU agri-food regulations a firewall that prevents our farmers from being inundated with cheap, inferior imports from the rest of the world?

**Dr Dobbs:** I would think so. You are shaking your head. I was listening to your point about George Eustice earlier today.

**Dr Gravey:** Yes. We are all interested to see who will replace Theresa Villiers. If it is, indeed, George Eustice, he has been very strong on animal welfare standards for future trade. In general, there is concern that UK farmers should not be held to a higher standard. It is very good that we hold our farmers to high standards, but we should make sure that they are not undercut by imports. That is one of the key fights right now in Westminster on the Bill and it matters a lot, especially from a devolved perspective.

There are a lot of questions because agriculture is devolved but trade is not, and you cannot have an ambitious environmental and agricultural policy if the trade aspect is not taken into account. It raises a bigger question of how devolved voices can be heard in the trade negotiations. It is about preparation more broadly. To go back to the point about the idea of a regulatory floor, we need a UK-wide regulatory floor for animal welfare and those kinds of things so that there is no undercutting in the UK. However, that same floor needs to be applied to imports.

**Dr Dobbs:** The protocol helps to protect food in Northern Ireland. It will provide protection here, but it does not help with the competition when you are trying to sell into GB. That is a difficulty. It is great for the consumer but less positive for farmers and producers.

**The Chairperson (Mr McAleer):** Presumably, with Britain being only 61% self-sufficient, if it enters into trade deals with the rest of the world, the British market will not be the same anyway. That market will, perhaps, not be as vibrant as it currently is.

**Dr Dobbs:** That is a very political thing, though. *[Laughter.]* Imagine you are there, signing off on trade deals that say we are lowering standards. If there is an obvious reduction in standards, people will say, "You promised us, it was in your manifesto, and you have repeatedly said that we deserve high-quality food". It is an extremely political thing to reduce it. There will be a tension between the need to be fed and the need to do it cheaply while protecting our producers to make sure that they are not undercut. We also have to consider consumers. We do not know how this will work out.

**Dr Gravey:** You can see that she is a lawyer. *[Laughter.]*

**The Chairperson (Mr McAleer):** You are very diplomatic, Mary. *[Laughter.]* We will move on swiftly because I am conscious of everyone's time.

**Ms Bailey:** Thank you very much. I have looked at some of your other work as well and, again, you set out complex issues in very understandable ways. I want to go back to the proposal and how that is cross-compliant with other issues. There are legal agreements in terms of the protocol, and there are environmental standards, the climate crisis and biodiversity to consider, and there is the work that the Department has done with stakeholders to come up with draft plans. How does all that marry up with what is on the table at the moment?

**Dr Gravey:** It does not. *[Laughter.]*

**Ms Bailey:** Yes, thanks. OK. *[Laughter.]*

**Dr Gravey:** It is impossible; it could not. Everything is moving at the same time. It is always difficult to have coherent policy across Departments, but when everyone is revising everything at the same time and we do not know who ends up deciding what, it is impossible. That is why, whether it is a breathing space, a sunset clause or an invitation to rethink, we will need most of these policies that will have to be in place after the transition. We know that we will not get everything right the first time around, and we need to force ourselves to look back and make sure that, perhaps, they were not super coherent at first, but we revise them to move towards that. That is the most realistic approach. We need to address the tensions — the bigger ones, perhaps — but it will not all fit together.

**Dr Dobbs:** The weird thing is that, if the Agriculture Bill had come into being while the UK was an EU member, we would be saying, "Public money for public goods — a great idea. We can do this within CAP", and it would complement the existing regime. However, the foundations are being shifted because of all the shifting frameworks underneath. With losing the regulatory floor — baseline — of all the environmental standards — some of the food and things like that — that is part of the challenge. It is not working in the same contexts, and it has to acknowledge that. We have to acknowledge that for Northern Ireland as well.

**Dr Gravey:** I will just add something. The environmental strategy received quite a lot of feedback, and there is pressure with COP 26. There will be more and more pressure to justify everything on the basis of how we are addressing the climate breakdown — the biodiversity crisis — with these policies. That language works quite well in the UK. It is important for Northern Ireland to be able to speak that language in order to convince the Treasury to give funding for Northern Ireland. It is clearly in the interests of farmers in Northern Ireland, and the agri-food industry more generally, to be able to justify requests for funding because it will deliver on the environment. We are seeing that shift in England, and, because of that, it will be the language that the Treasury understands best.

**Mr McGuigan:** Given that you said agriculture *[Inaudible]* and trade is not, and the fact that the protocol kind of protects the all-island economy, would it mean more North/South harmonisation, and what implications do you see for trade, North and South?

**Dr Dobbs:** Both sigh.

**Dr Gravey:** For food, animal welfare, agri-food supply chains — milk crossing the border five times and all that — it matters a lot. That is good in being able to keep those supply chains going. We are also seeing a lot of cooperation on the island of Ireland on the environment, such as the joint implementation of the water framework directive, which is not in the protocol. There are questions around nitrates and slurry moving North/South, and the nitrates directive is not in the protocol. There are gaps. Yes, you can protect a truck going from the North to the South, but you can still have divergence between the rules that farmers will have to meet in the North and in the South.

**Dr Dobbs:** We expect some divergence, but it depends on how things work between Northern Ireland and GB, because the market may shift. Northern Ireland's export market may shift, depending on what happens in GB. If that is impacted, in some ways, it may have a knock-on and potentially increase the role of Ireland or the rest of the EU as an export market. Generally, there will be greater divergence, except when protected by the protocol, and it then depends on what happens with access to the market for GB.

**Dr Gravey:** In any case, we will have more paperwork, and that is the end point. You will have to be able to say, "We have complied with everything". Whether the goods are coming from GB into here or going the other way around, there will, perhaps, be less pressure on Northern Ireland goods. In many cases, these all-island supply chains end up in GB. We are talking about goods moving from Northern Ireland to be transformed and changed — like milk being transformed into cheese in Ireland and then going over to GB. If there is more divergence between the three parts, it will end up costing more for farmers in Northern Ireland. We are talking about groups that have very limited amounts of money to play around with, so it is likely that businesses will go out of business.

**The Chairperson (Mr McAleer):** The last member on the list is Harry.

**Mr Harvey:** Thank you, Chair.

**Mr Irwin:** *[Inaudible.]*

**The Chairperson (Mr McAleer):** William as well.

**Mr Irwin:** I understood I was in, but —.

**The Committee Clerk:** My fault, my fault.

**The Chairperson (Mr McAleer):** Sorry, sorry.

**Mr Harvey:** I have a wee quick question, much the same as your comment, Chair, which I noted. With land less amenable here, and with small farms with one to two farmers, without financial support, 30% of those will not be able to keep going, unless, of course, they change how they do things and what they do. Could we maybe help them to diversify a wee bit?

**Dr Gravey:** Yes. Diversifying is great, but if you are on a very small farm and it is just you — perhaps the kids sometimes come back at the weekend to help out a bit — it is very hard to shift radically. That is why the smaller the farm, the less breathing space you have to start shifting policy. That is why there is a shift across the four nations to providing more advice and support and, potentially, doing things on a landscape scale, from an environmental perspective. If we can help farmers to work together with their neighbours to deliver a common environmental agenda while being paid all together, that could help, but it takes a lot of effort to make that shift mentally. You are the farmer on your land. It is your land, and you do whatever you want on it until you have to work with your neighbours. It will take a long time, which is why we really need that transition period for agriculture. They are talking about it taking perhaps seven years in England to move from the current system to the future one. In Northern Ireland, considering the average age of farmers, it will be extremely difficult.

**Mr Harvey:** You do not want to lose farmers in the transition.

**Dr Gravey:** You do not.

**Mr Irwin:** Thank you for your presentation. It is good that we are guaranteed payments until 2024. Governments cannot really go much further than that: one step at a time. I declare an interest because I am partner in a business that claims the basic farm payment. We in Northern Ireland should and will have the ability and the flexibility to deliver that in the way that we feel fit. Is that right?

**Dr Gravey:** Yes.

**Mr Irwin:** It means that, if we want to target and help people in the hills or do other things, we have the ability to do that. Northern Ireland should have flexibility in the future. I think that we do, to my knowledge. Is that right?

**Dr Dobbs:** The Bill does not outline approaches for Northern Ireland, but, again, it does not do that any longer for Wales either, because Wales said, "Forget about us for the moment. We will deal with this in another year's time. We are trying to build our own thing". It is devolved, so Northern Ireland has the devolved powers. There are limitations, because there are limitations on the agreement on agriculture, but that does not prevent environmental payments or decoupled payments that are not about, "Produce more, we will give you more". There are limits on that, but let us not get into that. It is too complicated.

**Mr Irwin:** I see that Éire and Wales, I think, have decoupled what payments there are.

**Dr Dobbs:** Yes. The general approach at this stage is decoupled payments. There is a lot of flexibility. It depends a bit on what the UK does in the future as regards trade agreements and so forth. This is the chance for Northern Ireland to build it up. It makes it more acceptable as well if Northern Ireland creates it and the people build it up, rather than having it superimposed either from the EU, the UK or anywhere else.

**Mr Irwin:** Absolutely. Thank you.

**The Chairperson (Mr McAleer):** Finally — William reminded me of something — given that we are staying within EU regulations as well as trying to introduce our own policy, is it the case that, when we try to stay within EU regulations, coupled payments can only have a cap of 13% of the overall budget?

**Dr Gravey:** There are questions about that. The coupled payments issue is to do with the World Trade Organization agreement on agriculture that Mary was just talking about. There will still be a limit to the amber box. There has been a lot of tension between the Welsh Government and the UK about the fact that, in the previous version of the Bill, the Secretary of State for DEFRA was going to be able to say, "This is a blue box. This is a green box. This is an amber box. You are going to have limits on each of those". We know that DEFRA is anti a lot of coupled payments, and it wants to move away from them. There is a question mark over how much centralisation you have there and how much the devolved Administrations are able to use quite a lot of the UK's amber box. If England is not going to use it, can the rest of the UK use it, or will the three other Administrations be kept on the same very small amber box, with very little coupled payments? That is still very much up for discussion.

**Dr Dobbs:** It is in the Agriculture Bill that the Secretary of State can determine those specific levels. They can determine the level for the amber box for the UK as a whole, which can be lower than that required internationally, but they can also set the level for each of the devolved Administrations. There is a bit in the protocol, in article 10 on state aid, that links into previous spending by Northern Ireland, so there are two elements.

**The Chairperson (Mr McAleer):** Thank you very much for that. We are very appreciative. That was very detailed and interesting. I wish you a safe trip. I understand, Mary, that you are going back to lecture in Queen's for 2:00 pm. Is that right?

**Dr Dobbs:** Yes. I have a taxi ordered; it is fine.

**The Chairperson (Mr McAleer):** I will let you get on the move then. Thanks very much. That was very helpful and informative.