



Northern Ireland  
Assembly

Committee for Agriculture, Environment and  
Rural Affairs

# OFFICIAL REPORT (Hansard)

Direct Payments to Farmers (Amendment) Regulations  
(Northern Ireland) 2021 and Direct Payments to Farmers  
(Simplifications) Regulations (Northern Ireland) 2021: Royal  
Society for the Protection of Birds

18 February 2021

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Direct Payments to Farmers (Simplifications) Regulations (Northern Ireland) 2021:  
Royal Society for the Protection of Birds

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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 Harry Harvey  
Mr William Irwin  
Mr Patsy McGlone

**Witnesses:**

Dr Jonathan Bell	Royal Society for the Protection of Birds NI
Mr Philip Carson	Royal Society for the Protection of Birds NI

**The Chairperson (Mr McAleer):** From the Royal Society for the Protection of Birds (RSPB), I welcome, via StarLeaf, Philip Carson, the land use policy officer, and Dr Jonathan Bell, the head of land and sea policy. It is great to see you, even though we have to do it all virtually. Do you want to commence your briefing, Jonathan and Philip?

**Mr Philip Carson (Royal Society for the Protection of Birds NI):** No problem, Chair. Thank you very much for allowing us to speak to you at such short notice. We wrote to you regarding the statutory rules (SRs) on agriculture support payments that will be debated in the Assembly on 22 February. They are the Direct Payments to Farmers (Amendment) Regulations (Northern Ireland) 2021 and the Direct Payments to Farmers (Simplifications) Regulations (Northern Ireland) 2021. Those regulations will make several changes to basic payment regulations, with the purpose of simplifying how the scheme operates and is administered in Northern Ireland. Although the SRs mainly make technical changes to the existing regulations, we had initial concerns about some of the changes that were being proposed, particularly around Part 7, which states that it will set minimum inspection rates for area-related schemes at 1%, which is a reduction from 3%.

On our reading, it was not initially clear whether the proposed changes apply to land eligibility inspections or all cross-compliance inspections. However, we had some clarification from the Department that alleviated some of our concerns that the reduction applies to cross-compliance inspections. They will apply only to land eligibility inspections.

We understand that simplifications will be made for the 2021 scheme year. As we move forward, we need a clear and explicit purpose for future agriculture funding to ensure that simplification contributes to the delivery of wider strategic objectives and outcomes for farming and land use, the principles of which were outlined by the Minister as:

*"increased productivity, environmental sustainability, improved resilience and supply chain integration".*

We believe that those changes should form part of a clear, predefined transition to new systems of farm support and that primary agriculture legislation would play an important part in providing that transition period, ensuring certainty for farmers while helping to ensure that urgent action is delivered to meet environmental priorities. As yet, it is unclear when primary legislation will be brought forward to provide that legal framework, or an associated transition timeline. Those should be prioritised.

We acknowledge that DAERA will undertake a full review of cross-compliance on the regulatory side of things to improve how it operates, and we welcome that. It is important that a future agriculture policy framework is underpinned by a more ambitious and effective regulatory baseline, which could include an enhanced ambition on biodiversity and a more proactive approach *[Inaudible]* as well in improving that regulatory baseline. We look forward to working with the Department on that.

**The Chairperson (Mr McAleer):** Thank you. Jonathan, do you want to add to that, or are you content with Philip's comments?

**Dr Jonathan Bell (Royal Society for the Protection of Birds NI):** I am content with Philip's comments. Our initial concerns were in relation to Part 7 of the regulations on minimum inspection rates and whether that applied to cross-compliance. We think that we had that cleared up this morning that it does not. However, Phil pointed to a couple of really important issues around the direction of travel.

**The Chairperson (Mr McAleer):** Just for clarification: since your representation to us, you met the Department and sought clarification that the proposed reduction in inspections for this year would not have a negative impact on cross-compliance.

**Mr Carson:** Yes, that is correct. The proposed reduction will apply to land eligibility only. We had concerns that it would apply to cross-compliance rules in totality. Those concerns have been addressed. We are content with that, and our initial concerns have been allayed.

**The Chairperson (Mr McAleer):** That is perfect. Thanks for making that representation to the Committee because we are here to receive such representations. I am glad that the issues that you highlighted have been cleared up for you. Thanks very much for appearing this morning, and no doubt we will be in contact as schemes and policies are rolled out. Thank you, Philip and Jonathan.

**The Committee Clerk:** Clare wants to ask a question.

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

**Ms Bailey:** No bother. I did not realise that it was going to be so quick.

You said that you had potential concerns about future direction. Do you have particular issues? Is there any specific example of current government policy that has led to the poor state of nature and that you feel needs to be addressed?

**Mr Carson:** We want to see a reform of the policy in its totality. While we recognise that simplification will help to improve the delivery of the schemes in the short term, we need to see them change altogether.

We make the point about having a predefined transition period so that simplification of our current system is not seen as an end in itself and that it is moving towards a wider change. We would like to see a legal basis to provide public money for public goods that would provide a duty on new schemes to be adopted to replace what we currently have. If we do not have those, there is a potential risk to drift, where we would not have that reform and the simplified scheme would go on longer than is necessary. For us, it is about a predefined transition period and ensuring that simplification is

contributing towards a wider change down the line. We need that clarity and certainty so that farmers can plan and prepare their businesses and get ready for the change so that simplification is helping that. It is also about knowing that a future system of farm support will address issues in water quality and decline in nature. Financial assistance purposes in new legislation should be based on public money for public goods rather than what we have at the moment.

**Ms Bailey:** The public money for public goods is in the Westminster legislation that will apply to England. Has there been any impact of not having an overarching agri Bill for Northern Ireland specifically? Has that had any impact on the agri legislation that has been produced since December?

**Mr Carson:** Sorry, can you repeat that, Clare?

**Ms Bailey:** It is about the public money for public goods and the whole concept of it being in the Agri Bill for England. Has there been any impact for Northern Ireland in not having a specific agri Bill? I will leave it there. I think that I am bouncing with the sound.

**Mr Carson:** The big thing is that, in other parts of the UK and Europe, there will be reform. You mentioned that England is moving towards public money for public goods, whereby funding will be delivered through the environmental land management scheme. Wales is consulting on a White Paper for its Agriculture (Wales) Bill, which will do something similar. It will have a sustainable land management scheme that will focus on delivering those environmental priorities as well as improving productivity. Scotland has committed to agriculture legislation by 2024. In the EU, the CAP is going through a period of reform. The risk is that, without Northern Ireland legislation, that change might not happen as quickly. Without that legal basis, the reform might not keep pace with other parts of the UK and Europe. With regard to the provisions of the UK Agriculture Bill and how it applies to Northern Ireland, there is no specific impetus for change. That is for the Northern Ireland Government to deliver.

**Ms Bailey:** OK. Thank you.

**Mr Blair:** I thank Philip and Jonathan for coming here today. If it is OK with you, Chair, I want to broaden this out slightly and to try to relate what I am talking about to the forthcoming legislation. I understand that the UK Government are introducing a Blue Planet Fund. The total sum available is around £500 million. I asked a question in the Chamber about this and could not get any information, but I accept that the Minister had been in post only for a day or two. I also understand that a nature for climate fund is being developed for England. What impact would that have and how would it assist us if we were to develop something similar and could roll those out in tandem with any legislative or regulatory change?

**Dr Bell:** John, the nature for climate fund is relevant in the current context. The UK Government have committed to £640 million, which will roll out things such as large-scale peatland restoration and appropriate native tree planting. A similar fund would be relevant and important in Northern Ireland. Only about 14% of our peatland habitat is deemed to be intact, and 86% is not intact, so we need to undertake large-scale peatland restoration. That is happening in England, and Scotland has committed £250 million to peatland restoration over the next 10 years. Wales has launched its peatland restoration programme and committed about £1 million a year over the next five years. In the South, €108 million has been dedicated to the restoration of former peat extraction sites. In that context, there is real scope for Northern Ireland to develop a nature for climate fund or something similar, which would tie in to the green recovery agenda. Potentially, we need to look at how landowners are rewarded for maintaining, protecting and managing those important sites once they are restored.

**Mr Blair:** OK. That is helpful. I assume that the schemes that are being developed involve landowners, but is there scope for others from the environment sector to get involved and advise?

**Dr Bell:** Absolutely. There must be a collaborative approach, and we need to work in partnership. There are great examples of the NGO sector working hand in hand with landowners to deliver peatland restoration or tree planting. Partnership working and collaboration will be key to that.

**Mr Blair:** OK. Thanks for that.

**The Chairperson (Mr McAleer):** Thank you, Jonathan and Philip, for attending this morning. As I said, the Committee will have further discussions with you in the time ahead.

**Dr Bell:** Thank you.

**Mr Carson:** Thank you.