



Northern Ireland  
Assembly

# Public Accounts Committee

## Minutes of Proceedings

Thursday, 16 September 2021

**Meeting Location:** Room 30, Parliament Buildings, Belfast

**Present:** Mr William Humphrey MBE MLA (Chairperson)  
Mr Roy Beggs MLA (Deputy Chairperson)  
Mr David Hilditch MLA  
Mr Andrew Muir MLA  
Mr Matthew O'Toole MLA

**Present by Video or Teleconference:**

Mr Cathal Boylan MLA  
Ms Órlaithí Flynn MLA  
Mr William Irwin MLA  
Mr Maolíosa McHugh MLA

**Apologies:** **None**

**In Attendance:** Ms Lucia Wilson (Assembly Clerk)  
Ms Gillian Barker (Assistant Assembly Clerk)  
Ms Karen Barry (Clerical Supervisor)



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***The meeting commenced in Closed Session at 2.01***

**Legal Advice on Publishing Correspondence regarding PAC's Report on 'Generating Electricity from Renewable Energy'**

The Committee considered legal advice dated 16 July 2021 from NIA Legal Services on the publishing of correspondence relevant to PAC's Report into Generating Electricity from Renewable Electricity.

The Committee considered the following restricted papers:

- An Explanatory Memo from the Clerk dated 14 September 2021;
- NIA Assembly Legal Services Advice dated 16 July 2021;
- Correspondence between KPMG / RenewableNI and PAC dated 6 & 20 May 2021; and
- Emails from John Constable/Professor Hughes and PAC Clerk.

Mr Jonathan McMillen, Head of Legal Services briefed the Committee on privilege and right of reply regarding the correspondence.

**Agreed:** The Committee agreed to publish all of the relevant correspondence with the Report which it would formally consider at Agenda Item 8.

**Agreed:** The Committee agreed to inform Professor Hughes that the report and that the correspondence would be available when the report is published.

***The meeting went into Open Session at 2.19 pm.***

**1. Apologies**

None



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## 2. Draft Minutes of 8 July 2021

**Agreed:** The draft minutes of the meeting of 8 July 2021 were signed and agreed to be published.

## 3. Declaration of Interest

At Agenda Item 7 'Sport's Sustainability Fund' the following Committee Members declared a potential conflict of interest as follows:

Mr William Humphrey MLA is a member of Woodvale Cricket Club  
Mr David Hilditch MLA is a member of Carrick Rangers Football Club  
Mr Andrew Muir MLA is the Events Director for Crawfordsburn parkrun; and  
Mr Maolíosa McHugh MLA is a Trustee of Naomh Eoghain Caisleán na Deirge, Gaelic Athletic Association

**Agreed:** The Committee noted these declarations.

## 4. Matters Arising

None

## 5. Correspondence

The following NIAO Officials joined the meeting:

Mr Kieran Donnelly, CB C&AG NIAO;  
Mr Tomas Wilkinson Director, NIAO and  
Mr Kyle Bingham, Assembly Support Officer NIAO [remotely]



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### **Guidance on NI Public Audit Process including PAC Scrutiny of Public Spending**

The Committee noted correspondence dated 24 June 2021 from the Treasury Officer of Accounts, DoF regarding Guidance on the NI Public Audit Process including PAC Scrutiny of Public Spending.

The Committee very much welcomed the publication of this Guidance and thanked TOA, NIAO and PAC staff for their work on this.

### **Follow up correspondence from Mr Colum Boyle AO DoF**

The Committee noted correspondence, dated 8 July 2021, from Colum Boyle, Interim AO, DoF regarding follow up information requested by the Committee on the Memorandum of Reply received on the PAC report 'Major Capital Projects'.

The Committee noted the Department's timetable on the implementation of the 15 PAC recommendations and that they would receive an update on progress before the end of the mandate.

### **Report on an Independent Fiscal Council for Northern Ireland**

The Committee noted correspondence, dated 9 July 2021, from the Committee for Finance regarding the publication of the 'Report on an Independent Fiscal Council for Northern Ireland'.

### **C&AG's Retirement March 2022**

The Committee noted correspondence, dated 9 July 2021, regarding Mr Kieran Donnelly CB C&AG's retirement letter to the Speaker. The C&AG will be retiring in March 2022.

### **DoF Business Plan 2021-22**



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The Committee noted correspondence from the Committee for Finance regarding DoF Business Plan 2021-22. The Business Plan sets out its priorities ahead and reflects on the challenges being faced from the COVID 19 pandemic.

### **Definition of Ministerial Directions**

The Committee noted correspondence, dated 22 July 2021, from DoF to the Finance Committee on the definition of 'Ministerial Directions'. Mr Andy Monaghan, DALO, makes reference to the definition of a ministerial direction as set out in guidance, The Managing Public Money Northern Ireland (MPMNI)

### **Correspondence from Professor Bartholomew UU**

The Committee noted correspondence, dated 22 July 2021, from Professor Bartholomew, University of Ulster regarding the holding, by Ms Jenny Pyper, of both the post of Pro-Chancellor and Chair of the University Council, and also that of interim Head of NICS. The Committee noted that Professor Bartholomew's correspondence provides assurances that any potential conflicts, between holding both these posts concurrently, has been managed appropriately.

### **Indemnity Arrangements**

The Committee noted correspondence dated 9 August 2021 from Minister Swann regarding 'Indemnity Arrangements' of £250,000 in support of the Royal College of Physicians participation in the DOH Neurology Review.

The Committee noted that normally Departments are required to give the Assembly 14 days' notice before entering into an indemnity and that this period should fall outside of recess. However, in order to ensure that this important work continues at pace, this has not been possible. Minister Swann is therefore notifying PAC of this indemnity that the Department has entered into by means of this letter, that has also been copied to the Chair of the Health Committee.

**Agreed:** The Committee noted the Indemnity arrangement from Minister Swann.



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### **Indemnity Arrangements**

The Committee noted correspondence, dated 13 September 2021, from Minister Swann regarding COVID 19 Indemnity Arrangements of £250,000 for Autumn 2021 to Spring 2022 in areas of:

- Non HSC Premises Indemnity Public Liability, Building and Contents;
- Non HSC Premises Indemnity Employers Liability;
- The provision of Independent Sector facilities indemnity cover;
- The provision of COVID testing capacity by AFBI.

Minister Swann notified PAC of this indemnity, that the Department has entered into by means of this letter, and also copied it to the Chair of the Health Committee.

**Agreed:** The Committee noted the Indemnity arrangement from Minister Swann.

### **NISRA 2020 Report on NICS Sick Absence**

The Committee noted correspondence, dated 18 August 2021 from Colum Boyle, AO, DoF regarding NISRA 2020 Report on NICS Sick Absence.

The Committee noted DoF work has commenced on *PAC recommendation 10 of Capacity and Capability* to explore sick absence rates.

### **Correspondence from Finance Committee, Reform of Property Management**

The Committee noted correspondence dated 29 August 2021 between NIAO and Finance Committee regarding Reform of Property Management Programme - Hard-Charging and The C&AG's response to the Finance Committee dated 26 August 2021.

**Agreed:** The Committee agreed to write to the Finance Committee to keep PAC updated on this matter.



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**RenewableNI – Report launched ‘Achieving Zero’**

The Committee noted an email, dated 14 September 2021, from RenewableNI, Steven Agnew regarding the publication of its report, launched 14 September 2021, ‘Achieving Zero: A Pathway to Zero Carbon Electricity’.

***The meeting remained in Open Session at 2.34 pm***

**6. Ministerial Directions**

The following NIAO Officials joined the meeting:

Mr Kieran Donnelly, CB C&AG NIAO  
Mr Tomas Wilkinson, Director NIAO and  
Mr Kyle Bingham, Assembly Support Officer NIAO [remotely]

The Committee considered a revised Ministerial Direction regarding a ‘Support Scheme for the impact of flooding in the Glenelly and Owenkillew River catchment areas’. The purpose of the revised Ministerial Direction is to introduce a third payment rate which is also based on land type, Severely Disadvantaged Area (SDA) Commons land. The Department has estimated that the total cost of the scheme will be reduced from approximately £3.45 million to £3.1 million, and will be met from within the existing Departmental budget.

**Agreed:** The Committee noted the relevant documents including the sign off by the Minister Edwin Poots MLA.

***The meeting went into Closed Session at 2.36 pm***



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## 7. Inquiry into Sports Sustainability Fund – Issues Paper

The following NIAO Official joined the meeting:

Mr Kieran Donnelly, CB C&AG NIAO; and  
Mr Tomas Wilkinson, Director NIAO.

The following NIAO Officials joined the meeting remotely:

Mr Kyle Bingham, Assembly Support Officer NIAO; and  
Ms Rachael Curlett, Auditor, NIAO.

The Committee noted follow up correspondence, dated 23 August 2021, from Ms Tracy Meharg AO DfC regarding the 8 July 2021 evidence session on the ‘Sports Sustainability Fund’. The response addresses the approval of grants over £1m and confirms that Ministerial approval was given following formal submission to the Department, prior to paying grants above £1m. The response also includes a breakdown of the Sports Hardship Fund of £2.3m.

The Committee discussed, with the C&AG, the Issues Paper and the suggested areas of further questioning.

**Agreed:** The Committee agreed to forward the suggested areas of further questioning to Ms Meharg AO DfC.

**Agreed:** The Committee agreed that the Issues Paper will form part of the main report into the ‘Sports Sustainability Fund’.

***The meeting went remained in Closed Session at 3.00 pm***





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**8. Inquiry into Generating Electricity from Renewable Energy Report.**

The following NIAO Officials joined the meeting:

Mr Kieran Donnelly, CB C&AG NIAO; and  
Mr Tomas Wilkinson, Director NIAO.

The following NIAO Officials joined the meeting remotely:

Mr Kyle Bingham, Assembly Support Officer NIAO; and

**Legal Advice on Publishing Correspondence**

The Committee noted their earlier discussions regarding legal advice, dated 16 July 2021, from NI Assembly Legal Services on publishing the correspondence accompanying the Report, specifically correspondence between KPMG / RenewableNI and PAC dated 6 & 20 May 2021 and emails between Professor Hughes/John Constable and PAC Clerk.

**Agreed:** The Committee agreed to publish the Report and ALL correspondence on 23 September 2021.

**Agreed:** The Committee agreed to inform Professor Hughes that the correspondence will be published with the report.

**Press Release**

The Committee considered the draft Press Release previously noted at their meeting on 8 July 2021.

**Agreed:** The Committee agreed the Press Release for the Generating Electricity from Renewable Energy Report.

***The meeting remained in Closed Session at 3.03 pm***



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### **9. Draft Forward Work Programme**

The following officials remained in the meeting:

Mr Kieran Donnelly, CB C&AG, NIAO;  
Mr Tomas Wilkinson, Director NIAO; and  
Mr Kyle Bingham, Assembly Support Officer NIAO, remotely.

The Committee noted correspondence dated 22 July and 18 August 2021 from Richard Pengelly, AO DoH regarding inquiry into Addiction Services NI. Mr Pengelly has confirmed his attendance for the evidence session as 21 October 2021.

The Committee agreed the next 4 inquiries:

1. Closing the Gap – social deprivation and links to educational attainment;
2. Addiction Services NI;
3. Broadband Investment in NI; and
4. Strategic Review of the Budget Process.

**Agreed:** The Forward Work Programme was agreed for the period September 2021 to March 2022. However, the date and order of Broadband Investment NI and the Strategic Review of the Budget Process has yet to be decided.

***The meeting remained in Closed Session at 3.08pm***

### **10. Any Other Business**

#### **PAC Inquiry Workshop**

The Committee noted an invitation from CPA UK to a virtual PAC Inquiry Workshop, 11 – 15 October 2021. The workshop will run for approximately two and half hours each day.



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**Agreed:** The Chair, Mr William Humphrey CBE, MLA has agreed to attend the workshop, and other Members should contact the Clerk by 17 September if they wish to attend.

**11. Date, Time and Place of Next Meeting**

The next meeting of the Public Accounts Committee will take place on Thursday 23 September, at 2.00 pm in The Senate, Parliament Buildings.

The Committee noted the Chair's apologies for next week's meeting as he is unable to attend. The Deputy Chair agreed to Chair the meeting of 23 September.

*The meeting adjourned at 3.11 pm.*

**Mr William Humphrey MBE MLA**  
**Chairperson**  
**Public Accounts Committee**  
**16 September 2021**