

# COMMITTEE FOR FINANCE AND PERSONNEL

## MINUTES OF PROCEEDINGS

**WEDNESDAY, 13 JANUARY 2016  
ROOM 30, PARLIAMENT BUILDINGS**

Present: Mr Daithí McKay MLA (Chairperson)  
Mr Dominic Bradley MLA (Deputy Chairperson)  
Mrs Judith Cochrane MLA  
Mr Leslie Cree MBE, MLA  
Mr Gordon Lyons MLA  
Mr John McCallister MLA  
Mr Ian McCrea MLA  
Mr Gary Middleton MLA  
Mr Máirtín Ó Muilleoir MLA

In Attendance: Mr Shane McAteer (Assembly Clerk)  
Mr Phil Pateman (Assistant Assembly Clerk)  
Mrs Clairita Frazer (Assistant Assembly Clerk)  
Mr Nory Kaplan-Kelly (Legislative Studies Programme Student)  
Mr Oliver Bellew (Clerical Supervisor)  
Mr Joe Westland (Clerical Supervisor)  
Miss Heather Graham (Clerical Officer)

Apologies: Mrs Michaela Boyle MLA

*The meeting commenced at 10:15am in public session.*

*Agreed:* that items 5 and 6 are covered by Hansard.

### **1. Apologies**

As detailed above.

## **2. Draft Minutes of Proceedings of 9 December 2015**

*Agreed:* that the minutes will be published on the Assembly website

*Gordon Lyons joined the meeting at 10:16am*

## **3. Matters Arising**

### Declarations of Interests

The Committee noted a record of all declarations of interests made by Committee members in respect of the Review of the Sale of National Asset Management Agency (NAMA) assets in Northern Ireland.

### Table of requests for Information from the Department of Finance and Personnel (DFP)

The Committee noted the summary table of requests for information from DFP which provided an update on matters arising not covered elsewhere on the agenda.

## **4. Draft Executive Budget 2016/17 – briefing from Assembly Research and Information Services**

*Ian McCrea joined the meeting at 10:18am*

Members noted correspondence and papers relating to the draft Executive Budget for 2016/17, including briefing papers by Assembly Research and Information Services.

Members received a briefing on the draft Executive Budget 2016/17 from Assembly Research and Information Services.

*Agreed:* that the Assembly Research papers are published on the Committee's webpages.

*Agreed:* that Assembly Research will provide follow up information on any potential savings to the Executive departments over the Spending Review period from an 'oil dividend'.

*John McCallister joined the meeting at 10:43am*

## **5. Draft Executive Budget 2016/17 – briefing from DFP**

Members received a briefing on the draft Executive Budget 2016/17 from the following departmental officials:

- Mike Brennan – Budget Director, DFP;
- Joanne McBurney – Head of Central Expenditure Division, DFP; and
- Jeff McGuinness – Central Expenditure Division, DFP.

*The session was recorded by Hansard.*

*John McCallister left the meeting at 11:10am*

*Judith Cochrane left the meeting at 11:15am*

*John McCallister rejoined the meeting at 11:18am*

## **6. Draft DFP Budget 2016/17**

Members received a briefing on the draft DFP Budget 2016/17 from the following departmental officials:

- Brigitte Worth – Finance Director, CSG, DFP; and
- Janis Marynowski – Finance Branch, CSG, DFP.

*The session was recorded by Hansard.*

The Committee noted that there would be scope within the June Monitoring Round for new Executive Ministers to take account of the views of Assembly statutory committee when deciding upon departmental spending priorities in the coming financial year.

*Agreed:* that the two Assembly Research papers on the Executive Budget 2016/17 are forwarded to DFP for written response to the issues raised.

*Agreed:* that DFP will provide follow up information in the form of a table highlighting the number of staff in DFP leaving under the Voluntary Exit Scheme, their grades and positions, and outlining how the individual business areas have been affected to date and going forward.

*Agreed:* that members had no additional issues to raise with the Department on the Executive Budget 2016/17 at this stage.

*Ian McCrea left the meeting at 11:30am*

*Dominic Bradley left the meeting at 11:30am*

## **7. Subordinate Legislation**

### **S.R The Public Service (Civil Service and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016**

Members considered the departmental papers relating to this statutory rule.

It was noted that the Examiner of Statutory Rules had confirmed that he has no points to raise by way of technical scrutiny in relation to the Rule.

*Agreed:* that the Committee has considered S.R The Public Service (Civil Service and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 and recommends that it be affirmed by the Assembly.

### **SL1 The Rates (Regional Rates) Order (Northern Ireland) 2016**

*Agreed:* that the Committee has considered DFP's proposal for subordinate legislation under SL1 The Rates (Regional Rates) Order (Northern Ireland) 2016 and has no objection to the policy implications of the proposed legislation at this stage.

### **SL1 The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2016**

*Agreed:* that the Committee has considered DFP's proposal for subordinate legislation under SL1 The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2016 and has no objection to the policy implications of the proposed legislation at this stage.

### **SL1 The Rates (Temporary Rebate) (Amendment) Order (Northern Ireland) 2016**

*Agreed:* that the Committee has considered DFP's proposal for subordinate legislation under SL1 The Rates (Temporary Rebate) (Amendment) Order (Northern Ireland) 2016 and has no objection to the policy implications of the proposed legislation at this stage.

## **8. Sale of NAMA Assets in Northern Ireland: Correspondence and Next Steps.**

The Committee considered the following papers and correspondence in relation to its review:

- Briefing paper from Bell & Co. and letter from Cerberus to the First Minister's Office;

*Agreed:* to publish the correspondence from Bell & Co on the Committee webpages in line with previous agreements.

*Agreed:* to seek legal advice from Assembly Legal Services on the scope for the Committee to exercise its statutory powers to compel both representatives from Cerberus and Mr Frank Cushnahan to give oral evidence in relation to the Committee's review.

*Agreed:* to seek a private informal meeting with the National Crime Agency (NCA) for the purpose of receiving an update on its ongoing investigation.

*Dominic Bradley rejoined the meeting at 11:58am*

- Correspondence from Cormac Butler/Member of the public in relation to NAMA;

*Máirtín Ó Muilleoir declared an interest in relation to Mr Gareth Graham who is mentioned in the above correspondence.*

*Agreed:* to write to the correspondent seeking further information and clarification on his purpose in writing to the Committee.

*Ian McCrea rejoined the meeting at 12:00pm*

- Correspondence from John J Rice Solicitors on behalf of Frank Cushnahan; and

*Agreed:* that the correspondence from Mr John J Rice and Co. solicitors be published on the Committee's webpages in line with previous agreements.

- NAMA response to the Committee's letter of 14 December 2015.

*Agreed:* to publish the response from NAMA on the Committee webpages in line with previous agreements.

- Fortress Investment Group (on behalf of Mr Brendan McGinn).

Members noted that Fortress and Mr McGinn had declined to provide oral or written evidence to the Committee in light of the ongoing investigation by the NCA into the sale of NAMA assets to Cerberus.

*Gary Middleton joined the meeting at 12:07pm*

The Committee noted that responses were pending from a number of witnesses invited to give oral evidence in relation to the review.

*Agreed:* to write to David Watters enquiring if he would be prepared to provide written answers to questions from the Committee and to issue further reminders to the former Minister of Finance and Personnel, Simon Hamilton MLA and Brian Rowntree to establish their availability to provide oral evidence to the Committee.

Members also noted that correspondence to Lagan Group had been misdirected and would be re-issued to the correct address.

The Committee discussed the next steps for the review in light of the evidence remaining to be gathered and limited time available before the end of the mandate.

*Agreed:* that a draft Committee report will be prepared setting out the factual position on the progress of the review up to the end of the mandate, including the outputs to date and an indication of any further evidence which remains to be taken.

## **9. Correspondence**

Members noted the following correspondence:

- DFP – Consultation on pre 2002 Civil Service widow/widowers pension arrangements;

*Agreed:* to request DFP to provide a summary of the consultation responses and proposed way forward when available.

- DFP – Consultation Directive 2007-66-EC Public Procurement;

- DFP – Updates on PEACE IV and INTERREG VA Programmes;

*Agreed:* to forward the correspondence to the relevant Assembly statutory committees for information.

- DFP – Q2 Performance against business plan targets;
- DFP – HM Treasury consultation – Repayment of Public Sector Exit Payments Regulations 2016;

*Agreed:* to request a written briefing from DFP on the outcome of the Treasury consultation and on the way forward in advance of any related Legislative Consent Motion (LCM).

- DFP – Northern Ireland Civil Service: Voluntary Exit Scheme update;
- DFP – Monthly forecast performance August 2015;
- DFP – European Priorities;
- DFP – Open Government Partnership UK work in Northern Ireland;
- Head of Civil Service – Briefing on Public Sector Workforce Restructuring Steering Group;
- Committee for Culture, Arts and Leisure to DFP Minister re Central Procurement Directorate briefing and response;
- Special European Union Programmes Body (SEUPB) Cover letter and Annual Report;
- Public Administration & Constitutional Affairs Committee – Inter Institutional Relationships;

*Agreed:* that the Committee responds to the Inquiry highlighting the relevant parts of its Report on the Review of the Barnett Formula which dealt with inter-governmental relations.

- Welsh Government – UK austerity measures;
- Lisburn and Castlereagh City Council – LCM proposed cap on public sector exit payments;
- Equality Commission – Public Sector Exit Payments;
- Women’s Support Network – Women’s Centres Childcare Fund; and
- DFP – Memorandum of Understanding (MoU) on Corporation Tax.

*Agreed:* to seek an oral briefing from DFP on the MoU.

The Committee noted routine correspondence which had been sent to members on 11 January 2016.

## **10. Committee Work Programme**

Members noted the updated work programme which will be published on the Committee’s website.

## **11. Any other business**

There was no other business

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

The next scheduled meeting of the Finance and Personnel Committee will be on Wednesday 20 January 2016 at 10:00am in Room 30, Parliament Buildings

*The Chairperson adjourned the meeting at 12:20pm.*

**Mr Leslie Cree MBE, MLA  
Committee for Finance and Personnel  
20 January 2016**