



Northern Ireland
Assembly

**COMMITTEE
FOR THE OFFICE OF THE
FIRST MINISTER AND DEPUTY
FIRST MINISTER**

**OFFICIAL REPORT
(Hansard)**

European Issues

24 March 2010

NORTHERN IRELAND ASSEMBLY

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FOR THE OFFICE OF THE FIRST MINISTER AND
DEPUTY FIRST MINISTER**

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Members present for all or part of the proceedings:

Mr Danny Kennedy (Chairperson)
Mrs Naomi Long (Deputy Chairperson)
Ms Martina Anderson
Mr Alex Attwood
Mr Tom Elliott
Mr Barry McElduff
Mr Stephen Moutray
Mr Jim Shannon
Mr Jimmy Spratt

Witnesses:

Mr Francie Molloy } Committee of the Regions

The Chairperson (Mr Kennedy):

Good afternoon, Mr Molloy. Is there any significance in your entering the room alone?

Mr Francie Molloy (Committee of the Regions):

I do not know whether I have been disowned. I am on my own, but we will try anyway.

The Chairperson:

Is there any indication of where Mr Bell is?

Mr Molloy:

No.

The Chairperson:

Mr Molloy, you are welcome to the Committee for the Office of the First Minister and the deputy First Minister. I expect that you know how this operates. You are here to brief the Committee on the work of the Committee of the Regions, of which you are a member, on European issues. We may be joined by Mr Bell. Please make your opening statement; then members may ask questions. The meeting is being recorded for Hansard for future use.

Mr Molloy:

Thank you for the invitation to make a presentation. I am on the wrong side of the table today, although I hope that people will not take advantage of that.

It is early for us to report on the Committee of the Regions (COR), as we have just been established for the beginning of the new term. The Committee of the Regions has been enhanced by the Lisbon Treaty and by its new five-year legislative term instead of the four-year term for which the previous Committee of the Regions sat. One of the main roles that has been enhanced is that of subsidiarity to try to ensure that the European Parliament will respond to the needs of regional Assemblies and local government, and to ensure that all decisions should be taken at the lowest level possible. Part of the role of the Committee of the Regions will be to ensure that that happens.

COR also has a responsibility to represent regional Assemblies or local government if they feel that they have been overruled by Europe and can take their case to the European Court of Justice. COR would have to do that in any situation.

Jonathan Bell and I attended the opening plenary session of the Committee of the Regions. The four main political parties are represented at local government and Assembly level for the first time. Rotation of COR's commissions means that there is representation from the Assembly or local government at all meetings, plenary sessions and committees.

At the opening session, the role of the Committee of the Regions and the commissions on which we sit was set out. I sit on the commission that specialises in the environment, and Mr Bell

sits on the Commission for Territorial Cohesion (COTER). The role of the environment commission gives the Assembly the opportunity to deal with many issues that will come up in the next term, particularly waste management, local government and climate change, and that gives the Assembly an opportunity to make an input.

Unfortunately, there is no direct link with the Assembly. I welcome the opportunity to address the Committee for the Office of the First Minister and the deputy First Minister, and I hope that we will do that fairly regularly. There is no direct advisory committee to brief us on the work of Departments or to which we can report. A mechanism is needed through which the Assembly and Departments can raise issues with us, which we can then raise at the Committee of the Regions.

To some extent, the Committee of the Regions is a watchdog for what is coming down the line during the European Parliament's five-year term. As we discussed previously, legislation that goes through the European Parliament is advanced for five years; therefore, the issues that are coming up now will not come into the legislative process for another four or five years. The Welsh Assembly Government, for example, has commissioned a review of social housing, which recommends using funding from the European Parliament and the European Investment Bank. Housing and social development are funded through that. That is an example of Departments and Committees raising issues, and that is why a deliberate and definite link is needed.

This is an early report. We do not have much experience of the structure or workings of Europe, although plenty of paperwork is advanced, and we hope to develop that. We need guidance from the Committee, Departments and Ministers on the issues that they see coming up from the relevant Departments.

The Chairperson:

We have received an apology from Mr Bell. Apparently, there has been a misunderstanding, and it was indicated to him that the meeting had been rearranged. There has been a mix-up in his diary commitments, and he will not be attending today.

Mr Shannon:

If we had organised a camera and a TV crew, we might have heard from Mr Bell.

The Chairperson:

You may think that; I could not possibly comment.

Mr Molloy, thank you for your overview. What level of secretariat in the form of background papers and advice is provided to Northern Ireland members of the Committee of the Regions for participating in meetings? Is that conducted through your own party offices or is secretarial and back-up support provided by the Department?

Mr Molloy:

We receive no back-up support from the Assembly or from any Department, and we have received no communication from the Department or the Assembly other than notification. The Northern Ireland Local Government Association (NILGA) has provided the most back-up and support, particularly to Mr Bell because he represents local government on COR. Ken Bishop attended the first plenary session with us, and he is one of the support staff at the Committee of the Regions.

In Europe, I rely on our Assembly PAs and party-support officers, who are largely associated with the MEP, Bairbre de Brún. We also rely on the staff in what is called the UK delegation, who give back-up and support to all members of the Committee of the Regions.

The Chairperson:

Are the views that you express party-based rather than an agreed position of all our representatives, either from local government or the Assembly? Are they party-political representations?

Mr Molloy:

Yes; although to a large extent they become personal positions during discussions in the Committee of the Regions. Some party members are attached to groups in the European Parliament; at present, however, we are independent of those groups. However, I believe that Jonathan Bell is attached to a party, and other members are attached to various European groupings.

At the moment, however, representations are purely party issues; there is no back-up, direction or advisory role from the Committee for the Office of the First Minister and the deputy First

Minister on what action to take, and no joint approach. The UK delegation takes a joint approach to issues, and has its own structure with a chairperson and secretariat. We tie in with them, as we do with the Irish delegation, which provides a secretariat and back-up. That is a flexible arrangement in Europe, and people will provide support. However, nothing is in place with regard to direction or the needs of the Assembly and Departments.

The Chairperson:

Should an Assembly response be co-ordinated or are you content with the current arrangement?

Mr Molloy:

There should be an Assembly response. We need advice and support on issues that the Assembly and Departments want raised and on their response to issues that come before the Committee of the Regions.

Ms Anderson:

One would imagine that from the Minister of the Environment through to the Committee, for instance, there needs to be at least a report back and assistance given to our representatives on the four commissions so that there is co-ordination. Perhaps the Committee Clerk could remind us whether we picked up on that gap in the Committee's "Inquiry into Consideration of European Issues". If we did not do so in a focussed way, will there be an opportunity, because of what we are hearing today, to seek in the report's recommendations greater collaboration and co-ordination between members of the Committee of the Regions and Ministers?

The Chairperson:

That was not a recommendation and so did not form part of the inquiry report, although the Committee could action it as a consequence of what we hear today.

Mr Molloy:

Most Assembly Committees are covered by aspects of the commissions of the Committee of the Regions on which our four representatives sit. All Departments, therefore, need to be represented, which is why it is important that we get advice and support to carry that through.

Mr Elliott:

Thank you, Francie. The Chairperson mentioned secretariat support and Mr Molloy said that the

Committee of the Regions will be a watchdog for what is coming down the line in the years ahead. How can that be developed for the benefit of this Committee or the Assembly, since you do not have the back-up to progress that?

Mr Molloy:

For us to be an effective watchdog, each Department needs to be aware of what is coming up in the Committee of the Regions, study the legislative process in Europe and what is being proposed, and raise issues with the Committee for the Office of the First Minister and the deputy First Minister. We could then raise the responses of Assembly Committees and Departments, and put them on the agenda of the Committee of the Regions.

Ken Bishop has been very active in raising local government issues, and we need the same back-up and support. He is doing that job full time for local government, and we need at least the same for the Assembly. That could be provided by the Committee for the Office of the First Minister and the deputy First Minister or through a mechanism representing all Departments so that their issues are identified and that we have departmental responses to what is best in the interests of the Assembly.

Mr Elliott:

It is important to avoid duplication when making our European engagement as efficient as possible. Should Committees and Departments raise issues with the Committee of the Regions?

Mr Molloy:

Yes. We can raise issues about decisions taken at Assembly or local government level with the Committee of the Regions; that is part of the subsidiarity role of the Committee of the Regions.

Mr Spratt:

Francie, I did not catch the name of the commission on which Jonathan Bell sits?

Mr Molloy:

I think that it is called COTER.

Mr Spratt:

What is that?

Mr Molloy:

It performs a governance role in the various structures of the Committee of the Regions and the European Commission.

Mr Spratt:

My next point has already been mentioned; however, it is important that folks receive support when they go out there, particularly before they attend briefings. During the evidence sessions, the Committee heard how important it was that we pick up on legislation. I assume that you receive a forward plan of what is coming up. I appreciate that it is early days and that you have been there only once, but I assume that you will have an idea of what legislation is in the pipeline that may affect Northern Ireland and the rest of the UK. Does the Brussels office provide any support to you?

Mr Molloy:

Yes. The staff in the Brussels office have been very helpful; they have offered their new offices for our use at any time. The issues that those staff deal with are also addressed at the Committee of the Regions. We met them the last time that we were over to get reacquainted and to use their facilities.

The staff in Brussels are given directions from the Executive that they must co-ordinate. There should be a European sub-committee, either in the Executive or in the Committees, to co-ordinate the approaches of the Departments, Committees and Ministers. That would assist us in performing our role and in giving an initial response, because we would be able to see what was coming down the line and what effect it would have.

It is possible to amend to legislation through the UK delegation. We can suggest proposals and amendments to the delegation, and if those amendments are adopted, the delegation suggests them to the Committee of the Regions. That gives us a stronger voice in legislation. The relationship between the Committee of the Regions, the Assembly and the Commissioner is stronger now, and they hope to have the teeth to deliver results. However, those relationships need to be tested to the full.

Mr Shannon:

Thank you, Francie; it is good to see you. It is not often that we get the opportunity to question you as a witness. When this evidence session is over, will you return to your usual seat? How does this work?

Mr Molloy:

I do not have the leeway to do that yet.

Mr Shannon:

My colleague Jonathan Bell and I sit together on a council, and he has given me information on how the Committee of the Regions operates and, in particular, how it affects some of the areas that I represent. He has also brought to my attention the milk quotas and Europe's influence on the farming sector in Northern Ireland. When such issues arise, will you, as members of the Committee of the Regions, contact the farming bodies, such as Ulster Farmers' Union or the Northern Ireland Agricultural Producers' Association (NIAPA), to ask their view on the needs of local farmers? I know that Jonathan has spoken on farmers' behalf; that is just one example of what could be done. Will you be in contact with farmers' unions to get a better picture of what they want to see coming from Europe?

Mr Molloy:

We can do that to some extent, but it would be difficult for one individual, or even Jonathan Bell and me, to have continuous contact with the 10 Departments, as we do not have the back-up or support on the broad range of subjects that will be coming up. The danger is that something would be missed. As others have said, we can concentrate on only so many things: if we try to cover everything, we could finish up losing it all. That is where the Departments have a responsibility to make representation to us. The reform of the common agricultural policy will be one of the big issues to come through the next session of the Assembly; therefore it is important that we have a link-in. My membership of the Committee for Agriculture and Rural Development helps, because the issues come up there and we get feedback. However, issues will arise in different ways across Departments, so we need to be advised on what our position should be and how we forward it.

In the commissions of the Committee of the Regions we can make amendments to proposals and to proposed legislation. However, we need to put forward proposals a fortnight in advance to

get them as part of an amendment. We are, therefore, pre-planning all the time, looking at what is coming ahead of us and responding to it, but we need a broader structure to provide back-up and support.

During the committee's review on the European Parliament, we met representatives from Catalonia, who said that they had been able to change legislation because of their advance work. They were strong around the Committee of the Regions, but they said that it was not as powerful as they hoped it would be in future. There are opportunities, but we need a structure to give us advice.

Mr Shannon:

The common fisheries policy is something that, I hope, many members are interested in. Have you had any contact with the MEPs or with fishing organisations with a view to feeding into the change in policy, which will be introduced in 2013? Could each of you take on a different issue rather than have duplication? For instance, Jonathan could take one section and you could take another.

Mr Molloy:

That is one of the advantages of the new structure. This is the first time that we have had four members attending the European Committee of the Regions, so that is in an advanced stage. We are in four different commissions, and that is one of the processes that we worked out beforehand; it enables us to cover the most important issues as they come up. I am on the commission that specialises in the environment; it covers a wide range, from agriculture issues to the environment and waste management. The same applies to the various other commissions. However, we need Departments' views; that is where the gap is.

I have not had direct communication with the fishing industries, other than in the Committee for Agriculture and Rural Development and the Department. We will, hopefully, tie in on that. It is something that we have to get our heads round.

Mrs Long:

I do not mean any disrespect, Francie, but my questions have been answered, and I do not want to replough the same furrow. You say that it would be helpful to have secretariat support and to get feedback from Committees and Departments before meetings as well as feedback when you

return from Europe. Is that view shared by all four representatives? Have you discussed that or do you hope to discuss it in future? It seems a sensible proposition.

Mr Molloy:

We have discussed it among ourselves and with members from other Assemblies; representatives from the Welsh Assembly Government say the same. They have a structure for reporting; they also have a European officer who identifies and reports on issues. They are, therefore, in a stronger position.

The UK delegation has a broad secretariat that covers the three Assemblies, including the Scottish and the Welsh, and which represents the UK region, which gives them strong back-up and support. The gap is in this Assembly. It would probably be impossible to cover all the subjects that the Assembly will deal with; however, if we can identify the main subjects, and those that need support and back-up, we can put a structure together.

Mrs Long:

It would be useful if three or four priority areas were identified at which you could target your resources, which are limited as you have only four people. However, knowing in advance the three or four priority areas for the Assembly and Executive would allow you to focus on them more directly and to provide feedback. Would such information be more helpful and allow you to connect back in?

Mr Molloy:

Yes. Although we may have our own views on waste management and other issues, it is more helpful to have a Department's position and to link it in with that of the Assembly and Executive. We need support to maximise our position.

We have four members in four different commissions, which enables us to cover a wide range of issues that may come up in the Assembly; we could cover a broad remit if we had the right support. I sit on the environment commission and, therefore, I need feedback on issues relating to that commission, such as agriculture, waste management and local government. Everybody sits on the plenary session, which has a broad remit. However, we have identified four commissions on which to sit and have spread that out across four members, which enables us to cover all four commissions at any one time.

Mr McElduff:

How often does the Committee of the Regions meet in plenary and how often does your commission meet? Who are the representatives from the region apart from Francie Molloy and Jonathan Bell?

The Chairperson:

I understand that John Dallat is a member.

Mr Molloy:

John Dallat and Arnold Hatch are alternative members of the plenary sessions and full members of the commissions.

Plenary sessions are bi-monthly and the commissions meet approximately every six weeks. One problem, particularly with my commission, is that most meetings take place on a Tuesday, Wednesday or Thursday, with many meetings on Wednesdays; that makes travel arrangements difficult. However, it is about prioritising. For example, the most recent environment commission meeting was on a Tuesday, which is the same day as the plenary session here. If I am missing from this Committee you will know that it is because I am at the Committee of the Regions. It is very important that we prioritise, because the meetings are very regular.

Because there are no direct flights from Belfast we must leave here on Tuesday to get to a meeting on Wednesday and not come back until Thursday. That is quite a lengthy process. We need to maximise our membership and make the most of it. If there is nothing on the agenda for plenary meetings or if we cannot put anything on the agenda, there is no point in travelling. However, we aim to put issues on the agenda so that we can respond to issues from other commissions and other regions, but also so that the issues that we want included on the agenda can be identified at an early stage.

The Chairperson:

Thank you very much. We have no further questions at this point. Thank you for your presentation and for your answers.