



Northern Ireland Assembly

COMMITTEE FOR SOCIAL DEVELOPMENT

MINUTES OF PROCEEDINGS

THURSDAY 14 November 2013

Room 29, Parliament Buildings

- Present:
- Mr Alex Maskey MLA (Chairperson)
 - Mr Mickey Brady MLA (Deputy Chairperson)
 - Mr Jim Allister MLA
 - Ms Paula Bradley MLA
 - Mr Gregory Campbell
 - Mr Trevor Clarke MLA
 - Mr Michael Copeland MLA
 - Mr Stewart Dickson MLA
 - Mr Fra McCann MLA
 - Mr Sammy Wilson MLA
- In Attendance:
- Mr Peter McCallion (Assembly Clerk)
 - Dr Kevin Pelan (Assembly Clerk)
 - Ms Angela McParland (Assistant Assembly Clerk)
 - Mr Stephen Orme (Assistant Assembly Clerk)
 - Mr Stephen Todd (Assistant Assembly Clerk)
 - Ms Allison Ferguson (Clerical Officer)
- Apologies:
- Ms Dolores Kelly MLA

The Chairperson declared the meeting open to the public at 10.06am.

1. Apologies

Apologies were as noted above.

2. Draft Minutes of the Meeting held on 7 November 2013

Agreed: The draft minutes of the meeting held on 7 November were agreed.

3. Chairperson's Business

The Chairperson informed the Committee that he met with the Chair of the NIHE earlier this week regarding maintenance contracts and noted that Members will receive a report on this issue shortly.

4. Matters Arising

The Chairperson noted that Paula Bradley MLA and Fra McCann MLA attended a DSD stakeholder event on Wednesday 13 November regarding the Social Housing Reform Programme. He thanked the members for their attendance on behalf of the Committee. Ms Bradley and Mr McCann highlighted relevant issues. The Chairperson noted that the Committee would receive an update from the Department in due course.

5. Licensing of Pavement Cafés Bill – Department's Position on Committee Proposals

The following officials joined the meeting at 10.12am:

- Mr Liam Quinn, Head of Social Policy Unit, DSD
- Mr Gary McAlorum, Social Policy Unit, DSD

This session was recorded by Hansard.

The Departmental officials spoke to their paper, addressing issues that had previously been raised by Committee and stakeholders throughout the Committee Stage, and also outlined a number of technical amendments that the Minister proposed to introduce.

There was discussion around consultation with Planning Service, the requirement for premises to display their licence, the requirement for a business to take out public liability insurance.

Trevor Clarke joined the meeting at 10.24am.

The Chairperson drew members' attention to a memo from the Committee Clerk outlining other issues that the Committee had discussed throughout the Committee Stage and that they may wish to include in the Bill Report as recommendations.

The Chairperson noted that the Committee would return to the Bill at the meeting on 21 November for the formal clause-by-clause and potentially to propose items to be included in guidance.

The officials left the meeting at 10.27am.

6. Business Improvement Districts Regulations – Departmental Briefing

The following officials joined the meeting at 10.28am:

- Henry McArdle, Head of BIDs Policy and Legislation
- Gail Cheesman, BIDs Policy and Legislation
- Antony McDaid, BIDs Policy and Legislation

The officials provided an outline on the purpose of the BID legislation and briefed the Committee on the consultation on BID regulations.

There was discussion around the role of councils in the administration of the BID levy, votes on BID proposals, how businesses would be educated about BIDs and comparisons with the current position of BIDs in Scotland.

The Chairperson thanked the officials for their briefing and the Committee agreed to return to the matter at its meeting of 28 November to formally consider its views on the consultation.

The officials left the meeting at 10.55am.

7. Boiler Replacement Scheme – Departmental Briefing

The following officials joined the meeting at 10.55am:

- Ms Eilish O’Neill, DSD
- Mr Finbar Cummins, DSD
- Mr Danny O’Reilly, DSD

The officials briefed the Committee on the Boiler Replacement Scheme.

There was discussion around the reported savings incurred by those switching from oil to gas boilers. The officials noted that the Committee would be briefed on the Warm Homes scheme on 5 December.

Agreed: The Committee agreed to write to the Department for:

- a breakdown of the quoted energy and cost savings;
- clarity on the drop out rate from the scheme by income band;

Agreed: The Committee agreed that it expects the Department to actively engage with those using the boiler replacement scheme to ensure that they also take advantage of insulation and draft-proofing measures so as to obtain the full level of energy efficiency and cost savings.

The officials left the meeting at 11.37am.

8. Correspondence

The Committee noted correspondence as outlined on the correspondence memo.

9. Forward Work Programme

The Committee was content with the proposed Forward Work Programme.

Proceedings were suspended at 11.40am.

10. Inquiry

Proceedings recommenced in public session at 1.03pm.

The Chair declared the meeting open to the public. The following Members were present:

Alex Maskey
Mickey Brady
Fra McCann
Paula Bradley
Trevor Clarke
Jim Allister
Stewart Dickson

Sammy Wilson and Gregory Campbell joined the meeting at 1.04pm.

10.1 Declaration of Interests

Jim Allister declared that in his former profession he represented Turkington Holdings Ltd in legal matters, primarily in planning matters and that in 2004 when he was the DUP candidate in the European elections Turkington Holdings Ltd supplied the party with vans. Mr Allister also declared that he believes that when he was an MEP he invited Turkingtons to a business breakfast.

Gregory Campbell inquired as to the extent of information Members were required to inform the Committee of. The Chair advised Members should divulge what they themselves deem pertinent to the Inquiry and reminded Members they can also individually contact the Standard and Privileges Committee to ask for advice on this matter.

Sammy Wilson declared that as Finance Minister he attended breakfasts and dinners at which individuals were in attendance who may later be called to appear before the Committee for the Inquiry.

10.2 Procedural Fairness

This session was recorded by Hansard.

The Chair drew Members attention to the Clerk's draft paper on procedural fairness. The Chair outlined the importance of the Committee agreeing the paper at the outset of the Inquiry in order to ensure the integrity of the Inquiry and that any risk of challenge to the findings of the Committee is minimised.

Members agreed to the paper as drafted.

The Chair reiterated that, having received procedural and legal advice on the remit of the Committee and the terms of reference, the Committee is satisfied it has the statutory authority to conduct the Inquiry and the Committee will, should it deem it necessary, ask witnesses to testify under oath or affirmation.

Michael Copeland joined the meeting at 1.10pm.

10.3 Evidence Session One

The following witnesses joined the meeting at 1.15pm:

- Ian Young, former Divisional Manager, Turkington Holdings Ltd
- Jim McKeag, Managing Director, Turkington Holdings Ltd

This session was recorded by Hansard.

The Chair outlined to the witnesses the reasons for calling them to give evidence to the Inquiry which centred around the meeting of 16 April 2012 and the Minister's letter of 24th May 2012 to the Chair. The Witnesses affirmed they were clear on the reasons they were before the Committee.

The witnesses presented oral evidence to the Committee and then answered questions from Members.

Paula Bradley left the meeting at 1.50pm.

Paula Bradley returned to the meeting at 1.53pm.

Stewart Dickson left the meeting at 1.59pm.

The Chair summarised the oral evidence by the witnesses from their presentation and their subsequent answers to questioning by Members. The witnesses agreed with the Chair's summary.

The Chair gave the witnesses the opportunity to put on record any further comments they wished to make.

Jim McKeag commented that substantial savings were derived by Turkingtons taking the initiative but that he perceived his company as having been lambasted unfairly by the press over the issue.

The Chair thanked the witnesses for their evidence presented to the Committee.

10.4 Evidence Session Two

The following officials joined the meeting at 2.05pm:

- Michael Sands, DSD
- John McPeake, NIHE
- Declan Allen, NIHE

This session was recorded by Hansard.

The Chair outlined to the witnesses the reasons for calling them to give evidence to the Inquiry which centred around the meeting of 16 April 2012, the Minister's letter of 24th May 2012 to the Chair and the first draft of the letter of 24th May 2012. The Witnesses affirmed they were clear on the reasons they were before the Committee.

Michael Sands presented oral evidence to the Committee and then answered questions from Members.

Fra McCann left the meeting at 2.50pm.

Gregory Campbell left the meeting at 2.52pm.

Fra McCann returned to the meeting at 2.53pm.

The Chair gave a summary of the oral evidence provided by Michael Sands. Mr Sands agreed with the Chair's summary but stated that he had not noticed, when he made the amendment asked for, the line in the final letter that gave the impression the letter still referred to one meeting.

Stewart Dickson returned to the meeting at 2.58pm.

John McPeake and Declan Allen presented oral evidence to the Committee and then answered questions from Members.

Paula Bradley left the meeting at 3.02pm.

Paula Bradley returned to the meeting at 3.05pm.

During questions from Members John McPeake agreed to provide to the Committee an email he received from the Department giving him advance notice of the meeting of 16th April 2012.

Michael Copeland left the meeting at 3.42pm.

The Chair gave the officials the opportunity to put on record any further comments they wished to make.

The officials declined to make any further comment.

The Chair thanked the officials for the evidence presented to the Committee.

The officials left the meeting at 3.48pm.

The Chair stated to Members that the Committee will continue to ask for relevant emails and documents from the Department.

10.5 Fusion21

The Chair asked the Committee if they were content to accept written evidence from Fusion21 as opposed to oral evidence. The Committee were content that Fusion21 provide written evidence to the Committee but requested Fusion21 confirm if they met the Minister on 14 May 2013.

Michael Copeland returned to the meeting at 3.50pm

10.6 Further Evidence Phase One

The Chair reminded Members that a second letter had been sent to the BBC and asked if Members were content to wait on a reply before making a decision on the programme makers providing the Inquiry with oral or written evidence. The Committee noted that the BBC was taking a long time to provide the Committee with any kind of answer to its initial request for

documentation. The Committee agreed to await a response from the BBC to its most recent letter before requesting legal advice on the matter.

The Chair informed the Committee that the Minister was scheduled to give evidence to the Committee on 5 December 2013 but asked were Members content for this to be rescheduled, at the request of the Department, to 12 December 2013. Members were content.

The Committee agreed to request written evidence from Barbara McConaghie and clarification from the Department on the minutes or aide memoire produced of the meeting of 16 April 2012.

11. Date, Time and Place of Next Meeting

The next meeting will take place at 10.00 am on Thursday 21st November in Room 29, Parliament Buildings.

The Chairperson adjourned the meeting at 3.53pm.

Mr Alex Maskey

**Chairperson, Committee for Social Development
14 November 2013**