



Northern Ireland
Assembly

Public Accounts Committee

Minutes of Proceedings

Thursday, 11 March 2021

Meeting Location: The Senate, Parliament Buildings, Belfast

Present: Mr William Humphrey MBE MLA (Chairperson)
Mr Roy Beggs MLA (Deputy Chairperson)
Mr Harry Harvey MLA
Mr Matthew O'Toole MLA

Present by Video or Teleconference:

Mr Cathal Boylan MLA
Ms Órlaithí Flynn MLA
Mr Andrew Muir MLA
Mr Maolíosa McHugh MLA

Apologies: Mr David Hilditch MLA

In Attendance: Ms Lucia Wilson (Assembly Clerk)
Ms Gillian Barker (Assistant Assembly Clerk)

In Attendance by Video or Teleconference:



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Ms Karen Barry (Clerical Supervisor)

Mr Darren Weir (Clerical Officer)

Prior to the meeting opening, the Committee discussed whether to hear Agenda Item 6, the briefing and preparing session from the Northern Ireland Audit Office, regarding the Inquiry into 'Generating Electricity from Renewable Energy', in closed session or part in open session.

Agreed: Committee agreed to hear Agenda Item 6 all in Closed Session.

The meeting commenced at 2.14 pm in Open Session

1. Apologies

Mr David Hilditch MLA

2. Draft Minutes of 4 March 2021

Agreed: The draft minutes of the meeting of 4 March 2021 were agreed and to be published.

3. Declaration of Interest

Mr Matthew O'Toole MLA declared he has been approached by a local company about the inquiry into 'Generating Electricity from Renewable Energy';

Mr Andrew Muir MLA declared he had been contacted by RenewablesNI about their report;

Mr Maoliosa McHugh MLA declared he receives ROCS from solar panels.



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4. Matters Arising

The Committee noted correspondence dated 4 March 2021 from Sara Long CE of Education Authority, to John Walsh, which was received by the Committee through the Northern Ireland Audit Office (NIAO).

Agreed: The Committee agreed to forward this correspondence to the Education Committee in line with the decision the Committee made at last week's meeting; that this matter is more appropriate for the Education Committee to consider.

5. Correspondence

The following Officials joined the meeting:

Mr Kieran Donnelly CB Comptroller & Auditor General (C&AG) for Northern Ireland Assembly (NIAO);
Mr Tomas Wilkinson, Director, NIAO; and
Mr Kyle Bingham Assembly Support Officer, NIAO joined the meeting remotely.

Managing Legal Aid Report

The Committee noted correspondence dated 1 March 2021 from Peter May AO, DOJ regarding an update on the Statutory Registration Scheme and the five recommendations coming out of the PAC 'Managing Legal Aid Report 2017'.

The Committee noted the Department's intention to introduce a Statutory Registration Scheme and progress towards the implementation of all five recommendations. The Committee noted that some areas are more complex and will require primary legislation, such as the recommendation on the Taxing Master.

The C&AG welcomed what progress has been made and indicated that he will keep a watching brief on these matters including how the Statutory Registration Scheme develops.



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Agreed: The Committee agreed a further update regarding the MOR for the Managing Legal Aid Report 2017, is not now necessary.

Agreed: The Committee noted Mr May, AO DoJ will be writing to the Justice Committee proving the same update, and agreed no further action was required by this Committee.

Environmental Justice Network Ireland & Mr Chris Murphy

The Committee noted correspondence, dated 2 March 2021 from the Environmental Justice Network Ireland (EJNI) regarding recommendation 13 of PAC Report on Major Capital Projects.

The Committee also noted correspondence from Chris Murphy dated 3 March 2021 regarding a further update on recommendation 13 of PAC Report on Major Capital Projects. The Committee noted it had written to Mr Murphy on 13 November 2020 explaining that the recommendation cannot be recalled and that the Report *‘seeks to achieve a balance between having a higher bar for taking Judicial Review while at the same time not discouraging genuine concerns from being raised’*.

The Committee noted that the Memoranda of Reply (MOR) from the Department on the implementation of the PAC’s recommendations in the Major Capital Project Report is still outstanding and that a reminder has been issued to the Department of Finance on 5 March 2021.

Agreed: The Committee agreed its position on Recommendation 13 of the report remains and that this cannot be recalled.

Agreed: The Committee agreed to write back to the Environmental Justice Network Ireland (EJNI) and to Mr Chris Murphy to reiterate the Committee’s position on recommendation 13 and to explain that it cannot provide an update on the implementation of this recommendation until it is in receipt of the MOR, at which stage, it will then share it with both parties.

Edward Cook

The Committee noted correspondence from Edward Cooke dated 3 March 2021.



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Memo from Communities Committee

The Committee noted a memo dated 8 March 2021 from the Clerk to the Community Committee regarding NIAO Reports that PAC are holding, under Primacy.

Agreed: The Committee agreed to write to the Clerk to the Community Committee outlining that PAC is currently not in a position to release NIAO Reports until they have had an opportunity to consider them, once published, against the Committee priorities and periodic review of the forward work programme.

Whistleblowing Correspondence

The Committee noted correspondence dated 9 March 2021, from Mr Kieran Donnelly, CB C&AG regarding his review on additional documentation submitted by the anonymous Whistle-blower through the Office of Lesley Hogg, the Chief Executive of the Northern Ireland Assembly.

Agreed: The Committee noted this has been a very lengthy process and that the C&AG has now concluded his investigations.

Agreed: The Committee agreed to write to the Whistle-blower, through the Office of the Chief Executive of the Northern Ireland Assembly, to outline that PAC is satisfied the matter has been fully considered. The Committee agreed there is no additional evidence to support these historical claims and thereby, it is not in a position to take the matter any further.

The meeting went into Closed Session at 2.26 pm

6. Inquiry into 'Generating Electricity from Renewable Energy' – Briefing and Preparation Session

The following Officials joined the meeting:

Mr Kieran Donnelly, CB C&AG;

Mr Tomas Wilkinson, Director NIAO;

Mr Kyle Bingham, Assembly Support Officer NIAO, remotely; and



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Mr Brian O'Neill, Senior Auditor NIA, remotely.

The Committee noted the following papers:

- NIAO report on 'Generating Electricity from Renewable Energy';
- Witness Biographies - Mr Mike Brennan AO DfE; Mr Richard Rodgers, Head of Energy DfE; and Trevor McBriar, Head of Renewable Energy Branch;
- Correspondence dated 4 March 2021 from Mike Brennan, AO, DfE regarding information prior to evidence session in relation to KPMG report;
- KPMG report on behalf of RenewableNI on 'An Economic Review of Small Scale Wind'
- NIAO Restricted Briefing Paper; and
- NIAO Restricted 'Suggested Areas of Questioning Paper'.

The Committee discussed the forthcoming evidence session on 'Generating Electricity from Renewable Energy' scheduled for 18 March 2021 and the key areas of questioning.

The Committee noted the following witnesses would be attending:

- Mr Mike Brennan AO DfE;
- Mr Richard Rodgers, Head of Energy DfE; and
- Trevor McBriar, Head of Renewable Energy Branch;

Mr Matthew O'Toole MLA left the meeting at 3.11 pm

Mr Matthew O'Toole MLA re-joined the meeting at 3.14 pm

Mr William Humphrey MBE MLA left the meeting at 3.38 pm

Mr Roy Beggs, Deputy Chair, too the Chair of at 3.38pm

Mr William Humphrey MBE MLA re-joined the meeting at 3.43 pm and resumed the Chair

Mr Matthew O'Toole MLA left the meeting at 4.08 pm

Mr Matthew O'Toole MLA re-joined the meeting at 4.11 pm

The meeting remained in Closed Session at 4.09 pm



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7. Draft Forward Work Programme

The following officials remained in the meeting:

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

The Committee noted there had been no change or amendments to the draft forward work programme to Easter 2021.

Agreed: The Committee noted there may be further evidence sessions regarding the inquiry into 'Generating Electricity from Renewable Energy,' and these will be considered over the coming weeks.

Agreed: The Committee agreed to keep the list of NIAO Current and Forthcoming Reports in the pack to inform the forward work programme through to the summer.

Agreed: The Committee noted and the forward work programme.

8. Any Other Business

None

9. Date, Time and Place of Next Meeting

The next meeting of the Public Accounts Committee will take place on Thursday 18 March 2021, at 2.00 pm in Room 30, Parliament Buildings.

The meeting adjourned at 4.16 pm.



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Mr William Humphrey MBE MLA
Chairperson
Public Accounts Committee
11 March 2021