

NORTHERN IRELAND ASSEMBLY
BUSINESS COMMITTEE

TUESDAY 12 JANUARY 2021
VIA MS TEAMS

MINUTES

The meeting began at 1.05pm.

Present:

The Speaker (Chairperson)
Ms K Armstrong
Ms C Bailey
Mr K Buchanan
Mr R Butler
Ms S Ennis
Mrs D Kelly
Mr C McGrath
Mr G Middleton
Mr A Muir
Mr J O'Dowd
Mr J Stewart (from 1.36pm)

In attendance:

Dr A McGarel	Clerk of Business
Mr P Gill	Clerk Assistant
Ms L Hogg	Clerk/Chief Executive
Ms T Caul	Director of Legal, Governance & Research
Mr J McMillen	Head of Legal Services
Dr G McGrath	Director of Parliamentary Services
Mr R Ramsey	Adviser to the Speaker
Ms F Leneghan	PS to the Speaker
Ms P Devlin	Assistant Assembly Clerk
Mr M O'Hare	Clerical Supervisor

1 Apologies

1.1 There were no apologies.

2 Minutes of previous meetings

2.1 The minutes of the meeting on 8 December were **agreed**.

3 **Matters Arising**

3.1 The Speaker noted that since the Committee last met, there had been significant changes to public health guidance and this necessitated further consideration of a number of issues, not all of which fell within the remit of the Business Committee.

3.2 The Speaker advised that a range of issues had been raised with him, and he considered that it would be helpful to outline these so that whips could update their parties.

Remote Participation in Plenary & Social Distancing and other Safety Measures in the Chamber

3.3 The Speaker advised that in order for remote participation in plenary to be facilitated, the Committee on Procedures would have to consider amendments to Standing Orders, adding that the level of investment involved meant that the approval of the Assembly needed to be sought before progressing any proposals.

3.4 The Speaker noted that a significant amount of planning/scoping work had already gone into this, and if Members were in favour, he would write to the Committee on Procedures to indicate the Business Committee's support.

3.5 The Speaker advised that he and the Deputy Speakers have been, and will continue to, remind Members to adhere to social distancing in the Chamber and asked the party whips to do similarly.

3.6 The Speaker informed Members that the issue of wearing masks in the Chamber had been raised with him, but noted that the health guidelines state that masks are necessary only where other mitigations cannot be set in place.

3.7 The Speaker also advised that consideration had been given to increasing the number of Members who could be present in the Chamber through utilizing the public gallery, and that this could in fact increase occupancy by up to 14 people but that there were obstacles such as pillars, and additional equipment would be needed.

3.8 The Speaker invited views on these matters from Members.

3.9 The **Alliance** Party indicated its support for taking forward remote participation, and supported writing to the Committee on Procedures to indicate support and seek an update. Alliance representatives indicated that while there may not be a requirement to wear masks the Assembly should set an example and show leadership, and supported a requirement to wear masks when moving around the building, the Chamber and the lobbies.

- 3.10 The **SDLP** indicated its support for remote participation, adding that its implementation would negate the need for extending access to the Chamber by using the Public Gallery. SDLP representatives advised that the party proxies its votes to one party member so that only that member needs to go through the lobbies and urged other parties to do similarly.
- 3.11 The **UUP** was supportive of the Committee sending an affirmative message to the Committee on Procedures about remote participation being progressed, expressed a view that the Assembly must move from being reactive to proactive, noting that the party had been raising for some time the need to limit Assembly business to what is necessary in order to support working from home.
- 3.12 **Sinn Féin** was supportive of wearing face coverings and indicated that the party was interested in looking at remote participation, but was not convinced by proposals to extend into the Public Gallery.
- 3.13 The representative for the **Smaller Parties and Independent Members** was fully supportive of wearing face coverings and expressed concern about occasions when Members from other parties had taken places not assigned to them. She asked party whips to remind their Members of the need to adhere to assigned seating arrangements.
- 3.14 The **DUP** indicated its broad support for remote participation, but wanted clarification of the circumstances in which it would be used; e.g. if it would solely be for Members required to self-isolate or who had tested positive, or if it would be an option open to all. DUP representatives considered that masks should not be required if other social distancing measures were being adhered to properly but accepted there had been issues.
- 3.15 Members **agreed** to write to the Committee on Procedures to indicate its support for remote plenary participation, and to request that they are kept informed of developments.

Committee Business

- 3.16 The Speaker advised that it was for each individual Committee to decide how to manage its business, and that he understood that the Chairpersons Liaison Group were meeting the following week and may discuss their approach to Committee business at that time.

Management of Assembly Business

- 3.17 The Speaker advised Members that the management of Assembly Business during this pandemic was the responsibility of Business Committee. He

reminded Members that parties had agreed a range of adjustments to business in March 2020 and thought it would be useful to take the views of parties about the need for adaptations to the current situation before considering the Order Papers.

- 3.18 In seeking views, the Speaker asked Members to be mindful of the limited time left in the mandate for passing Executive and Private Members' Bills.
- 3.19 The **UUP** indicated that the Committee should look at what they had done before and not only replicate but possibly go beyond, with the caveat that all legislation should be allowed to proceed. The UUP representative indicated that the Ad Hoc Committee on COVID-19 response remained an option and as had been demonstrated over recent weeks, worked very well.
- 3.20 The **Alliance** Party agreed that non-binding business such as Private Members' motions and Adjournment debates should be put on hold but that legislation must proceed as there is a time limit. The Alliance representative noted that Question Time had already been reduced to three Ministers per week on a trial basis and they should see how that goes.
- 3.21 **Sinn Féin** expressed the view that it was essential that the Assembly return to reduced business and agreed that Private Members' motions and Adjournment debates were paused. The Sinn Féin representative added that there was a requirement to reduce the need for office-working and suggested that Members consider the volume and necessity of their Written Questions.
- 3.22 The **SDLP** agreed that Private Members' motions and Adjournment debates should be put on hold and legislation should be considered a priority, and that Question Time should be allowed to proceed in its reduced form. SDLP representatives suggested that Assembly business should be coordinated so that specific subject matters were grouped for the same plenary session, as this meant fewer people would be required to be present on any day.
- 3.23 The **DUP** agreed that Private Members' motions and Adjournment debates should be put on hold, but that Question Time should continue under the recently agreed arrangements. The DUP representative suggested that parties should be ensuring their Members' Written Questions are needed before being submitted.
- 3.24 The **Smaller Parties and Independent Members** representative stressed the importance of Written Questions as a means of access to information for non-Executive parties, particularly during the current situation, and cautioned against any assumption that Written Questions were less important than other means of scrutiny.

- 3.25 Members **noted** that the Speaker would take their points on board, seek further input from other stakeholders and revisit the matter with them in the next few days.
- 3.26 There were no other matters arising.

4 **Finalisation of the Order Papers for the Plenary Meetings in Week Commencing 18 January 2021**

Monday 18 January

Public Petition

- 4.1 Members **noted** that Mr. Carroll was seeking to present a Public Petition to the Speaker on the removal of fines for protesters following social distancing, and that in accordance with Standing Order 22 this item would last no more than three minutes.
- 4.2 Members **agreed** to schedule the Public Petition for Mr. Carroll.

Assembly Business

- 4.3 Members **noted** that Sinn Féin had requested a Committee Membership motion be scheduled.
- 4.4 Members **agreed** to schedule the item as a Business motion with no debate or amendment.

Executive Committee Business

- 4.5 Members **noted** that the Executive had scheduled two Ministerial Statements, as follows:
- A Statement from the First and deputy First Ministers on the NSMC Plenary and Institutional meetings.
 - A Statement from the Minister of Finance on 2020 – 21 January Monitoring.
- 4.6 Members **agreed** that both statements would be added to indicative timings once confirmed.

- 4.7 Members **noted** that the Minister of Justice had scheduled First Stage of the Protection from Stalking Bill.
- 4.8 Members **agreed** that this would be included in indicative timings when the Speaker had established that the Bill is within the legislative competence of the Assembly.
- 4.9 Members **noted** that the Minister of Justice had scheduled Final Stage of the Domestic Abuse and Civil Proceedings Bill.
- 4.10 Members **agreed** to schedule an untimed debate for the Bill stage.
- 4.11 Members **noted** that Question Time was for the Justice and Agriculture, Environment and Rural Affairs Ministers

Private Members' Business

- 4.12 Members **agreed** that in line with their earlier discussions, no Private Members' motions would be scheduled.
- 4.13 Members **agreed** the Order Paper for Monday 18 December.

Tuesday 19 January

Public Petition

- 4.14 Members **noted** that Mr. Easton was seeking to present a Public Petition to the Speaker on a 40 miles per hour speed zone on the A48 for the Cotton Community, and that in accordance with Standing Order 22 this item would last no more than three minutes.
- 4.15 Members **agreed** to schedule the Public Petition for Mr. Easton.

Executive Committee Business

- 4.16 Members **noted** that in line with their agreement to reduce the number of Ministers responding to Question Time on a trial basis, only the Communities Minister would respond to oral questions on this date.
- 4.17 Members **noted** that the Minister of Agriculture, Environment and Rural Affairs had scheduled a statement on the NSMC Agricultural Sector meeting.

- 4.18 Members **noted** that the Minister for Infrastructure had scheduled Further Consideration Stage of The Harbours (Grants and Loans Limit) Bill.
- 4.19 Members **agreed** to schedule an untimed debate for the Bill stage.

Private Members' Business

- 4.20 Members **noted** that they had agreed to schedule Mr Allister's Bill on the first Tuesday sitting after Christmas recess, subject to any Executive business.
- 4.21 Members **agreed** to schedule Further Consideration Stage of the Functioning of Government (Miscellaneous Provisions) Bill for Mr Allister.
- 4.22 Members **agreed** that in line with their earlier discussions, no Private Members' motions or adjournment debates would be scheduled.
- 4.23 Members **agreed** the Order Paper for Tuesday 19 January.

5 Provisional Arrangements for the Plenary Meetings in Week Commencing 25 January 2021

Monday 25 January

Executive Committee Business

- 5.1 Members **noted** that Question Time was scheduled for the Executive Office and the Minister for the Economy.
- 5.2 Members **noted** that the Minister for Infrastructure had scheduled Further Consideration Stage of The Harbours (Grants and Loans Limit) Bill.
- 5.3 Members **agreed** to schedule an untimed debate for the Bill stage.
- 5.4 Members **noted** that the following seven items had been scheduled:
- i. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 19) Regulations (NI) 2020
 - ii. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 20) Regulations (NI) 2020
 - iii. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 21) Regulations (NI) 2020
 - iv. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 22) Regulations (NI) 2020

- v. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 23) Regulations (NI) 2020
- vi. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 24) Regulations (NI) 2020
- vii. The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 25) Regulations (NI) 2020

- 5.5 Members **noted** that the Minister who would bring the Regulations forward was yet to be confirmed, but that a single debate for all had been requested.
- 5.6 Members **agreed** to schedule a single untimed debate for all seven Regulations.

Private Members' Business

- 5.7 Members **agreed** that in line with their earlier discussions, no Private Members' motions or adjournment debates would be scheduled.
- 5.8 Members **agreed** the Provisional Order Paper for Monday 25 January.

Tuesday 26 January

Executive Committee Business

- 5.9 Members **noted** that Question Time would be scheduled for the Minister of Education.
- 5.10 Members **noted** that the Executive had not yet scheduled any business for this date.
- 5.11 Members **noted** that the Committee on Procedures was seeking to schedule a motion to amend Standing Order 110 and requested 30 minutes for the debate.
- 5.12 Members **agreed** to schedule 30 minutes for the debate which would include 10 minutes for moving, five minutes for winding and 5 minutes for all other speakers.
- 5.13 Members **noted** that the Education Committee was seeking to schedule a motion and had requested two hours for the debate.

- 5.14 Members **agreed** to schedule two hours for the debate which would include 10 minutes for moving and winding, 20 minutes for the Minister to respond and 5 minutes for all other speakers.

Private Members' Business

- 5.15 Members **agreed** that in line with their earlier discussions, no Private Members' motions or adjournment debates would be scheduled.
- 5.16 Members **agreed** the Provisional Order Paper for Tuesday 26 January.

6 **Any Other Business**

- 6.1 There was no other business.

7 **Date and time of next meeting**

- 7.1 Members **agreed** that the next meeting would take place at 1pm on Tuesday 19 January in the Senate Chamber, Parliament Buildings.

The Speaker brought the meeting to a close at 1.49pm

The Speaker
Chairperson