



Northern Ireland Assembly

COMMITTEE FOR COMMUNITIES

MINUTES OF PROCEEDINGS

Thursday 13 February 2020
Room 29 Parliament Buildings

Present: Paula Bradley MLA (Chairperson)
Kellie Armstrong MLA (Deputy Chairperson)
Andy Allen MLA
Jonathan Buckley MLA
Mark Durkan MLA
Sinead Ennis MLA
Carál Ní Chuilín MLA
Robin Newton MBE MLA
Emma Sheerin MLA

In Attendance: Kevin Pelan (Assembly Clerk)
Sean McCann (Assistant Assembly Clerk)
Antoinette Bowen (Clerical Supervisor)
Oliver Bellew (Clerical Officer)

The meeting commenced in open session at 10:04 a.m.

1. Apologies

There were no apologies to record.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 6 February 2020.

3. Matters Arising

Members noted a copy of the Department for Communities Key Strategic Issues document and agreed to reconsider it at its meeting on the 27 February when the Minister will brief the Committee.

The Chairperson provided an overview of a meeting attended by herself and fellow members Kellie Armstrong and Carál Ní Chuilín with representatives from *UC: US*.

Agreed: The Committee agreed to invite *UC:US* to brief the Committee at a future Committee meeting.

The Chairperson adjourned the meeting at 10:09 a.m.

The Chairperson resumed the meeting in public session at 10:12a.m.

4. Correspondence

Agreed: The Committee agreed to action all other correspondence as outlined on the correspondence memo.

5. Ministerial briefing on Primary Legislation required for Continued Mitigation of Social Sector Size Criteria

Minister for Communities, Ms Deirdre Hargey MLA and Ms Anne Cleary, Director of Social Security Policy, Legislation and Decision-making Division joined the meeting at 10:12 a.m.

The Minister provided the Committee with an overview of the Primary Legislation required for Continued Mitigation of the Social Sector Size Criteria.

The oral evidence was followed by a question and answer session.

The Chairperson thanked the Minister for her attendance.

6. Briefing by Departmental Deputy Secretary for Housing, Urban Regeneration and Local Government

The following departmental officials joined the meeting at 10:42 a.m.

Louise Warde Hunter, Deputy Secretary for Housing, Urban Regeneration and Local Government
Paul Price, Director, Social Housing Policy and Oversight
Mark O'Donnell, Director, Belfast Regeneration Office
Anthony Carleton, Director, Local Government and Housing Regulation
Gerard Murray, Director, Regional Development Office

The oral evidence was followed by a question and answer session.

The Chairperson left the meeting at 12:30 p.m.

The Deputy Chair assumed the Chair at 12:30 p.m.

The Chairperson re-joined the meeting at 12:34 p.m.

The departmental officials agreed to provide further information on a number of issues. These were:

- The Deputy Secretary referred to nine ongoing regeneration projects during her briefing to the committee and members requested more information on these projects.
- Members would like more information on the list of the proposed public realm schemes and details on the level of engagement the department has with other service providers e.g. utilities, in relation to these schemes.
- The committee requested further details on the department's role in the regeneration aspects of the Belfast Region City Deals.
- The committee requested a further briefing from the Deputy Secretary and officials on strategic housing issues.
- The committee was informed that there would be a report on community planning in June 2020 and would like a copy of the report. The committee also requested further information on the links between central and local government and community planning.
- There was a discussion on the recent announcement that Causeway Coast and Glens Council is £68.7m in debt. The departmental officials informed the committee that the Minister had written to the council in relation to this and was awaiting a response. The Committee requested that it be kept informed of developments in relation to this issue.
- The committee requested a copy of the revised code of conduct for councillors and a list of the appeals criteria on PIPS.

- The committee asked to know the reasons behind the decision to take forward a statutory inquiry into the affairs of Woodvale and Shankill Community Housing Association.

7. Consideration of Statutory Rules

The Chairperson advised members that the Committee had dealt with a number of statutory rules at its meetings on 30 January, 6 February and 13 February, which members had agreed, subject to the report from the Examiner of Statutory Rules.

The Chairperson further advised members that the Examiner made reference to several rules that were laid in breach of the 21-day rule but is content that the Department has provided a satisfactory explanation for the breaches.

Breach of 21-day rule

SR 2017/38: The Occupational and Personal Pension Schemes (Automatic Enrolment) (Amendment) Regulations (NI) 2017

SR 2017/39: The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (Northern Ireland) 2017

SR 2017/45: The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2017

SR 2017/52: The Employers' Duties (Implementation) (Amendment) Regulations (Northern Ireland) 2017

SR 2017/66: The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2017

2017/219 The Social Security (Infected Blood and Thalidomide) Regulations (Northern Ireland) 2017

SR 2017/205: The Social Security (Emergency Funds) (Amendment) Regulations (Northern Ireland) 2017

SR 2017/242: The Social Security (Miscellaneous Amendments No. 3) Regulations (Northern Ireland) 2017

Negative Resolution

SR 2017/54: The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (Northern Ireland) 2017

SR 2018/52: The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (Northern Ireland) 2018

SR 2019/30: The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (Northern Ireland) 2019

SR 2017/181: The Employers' (Miscellaneous Amendments) Regulations (Northern Ireland) 2017

SR 2017/111: The Contracting-out (Transfer and Transfer Payment) (Amendment) Regulations (Northern Ireland) 2017

SR 2018/51: The Contracting-out (Transfer and Transfer Payment) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/57: The Occupational Pension Schemes and Social Security (Schemes that were Contracted-out and Graduated Retirement Benefit) (Miscellaneous Amendments) Regulations (Northern Ireland) 2017

SR 2017/47: The Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2017

SR 2018/42: The Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2018

SR 2019/25: The Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2019

SR 2018/182: The Occupational Pension Schemes (Cross-border Activities) (Amendment) Regulations (Northern Ireland) 2018

SR 2018/214: The Occupational Pension Schemes (Governance) (Amendment) Regulations (Northern Ireland) 2018

SR 2019/115: The Occupational Pension Schemes (Investment and Disclosure) (Amendment) Regulations (Northern Ireland) 2019

SR 2017/232: The Occupational Pensions (Revaluation) Order (Northern Ireland) 2017

SR 2018/205: The Occupational Pensions (Revaluation) Order (Northern Ireland) 2018

SR 2019/215: The Occupational Pensions (Revaluation) Order (Northern Ireland) 2019

SR 2019/92: The Employment Equality (Age) (Amendment) Regulations (Northern Ireland) 2019

SR 2018/53: The Occupational Pension Schemes (Administration and Disclosure) (Amendment) Regulations (Northern Ireland) 2018

SR 2018/49: The Occupational Pension Schemes (Employer Debt and Miscellaneous Amendments) Regulations (Northern Ireland) 2018

SR 2018/54: The Occupational Pension Schemes (Preservation of Benefit and Charges and Governance) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/218: The Social Security (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2017

SR 2019/204: The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2019

SR 2018/151: The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/49: The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2017

SR 2018/172: The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/55: The Social Fund (Amendment) Regulations (Northern Ireland) 2017

SR 2018/192: The Social Fund and Income-Related Benefits (Miscellaneous Amendments and Savings) Regulations (Northern Ireland) 2018

SR 2018/45: The Social Fund Funeral Expenses (Amendment) Regulations (Northern Ireland) 2018

SR 2018/135: The State Pension Credit (Additional Amount for Child or Qualifying Young Person) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/62: The Social Security (Income-related Benefits) (Amendment) Regulations (Northern Ireland) 2017

SR 2019/23: The Social Security (Income-related Benefits) (Amendment) Regulations (Northern Ireland) 2019

SR 2018/149: The Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2018

SR 2018/150: The Social Security (Treatment of Arrears of Benefit) Regulations (Northern Ireland) 2018

SR 2018/26: The Pension Protection Fund (Compensation) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/59: The Pension Protection Fund (Modification) (Amendment) Regulations (Northern Ireland) 2017

SR 2018/165: The Pension Protection Fund (Pensionable Service) and Occupational Pension Schemes (Investment and Disclosure) (Amendment and Modification) Regulations (Northern Ireland) 2018

SR 2018/38: The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (Northern Ireland) 2018

SR 2019/22: The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (Northern Ireland) 2019

SR 2018/40: The Pension Schemes Act 2015 (Transitional Provisions and Appropriate Independent Advice) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/227: The State Pension Debits and Credits (Revaluation) (No. 2) Order (Northern Ireland) 2017

SR 2017/61: The State Pension Debits and Credits (Revaluation) Order (Northern Ireland) 2017

SR 2018/208: The State Pension Debits and Credits (Revaluation) Order (Northern Ireland) 2018

SR 2020/6: The State Pension Debits and Credits (Revaluation) Order (Northern Ireland) 2020

SR 2017/228: The State Pension Revaluation for Transitional Pensions Order (Northern Ireland) 2017

SR 2018/207: The State Pension Revaluation for Transitional Pensions Order (Northern Ireland) 2018

SR 2020/7: The State Pension Revaluation for Transitional Pensions Order (Northern Ireland) 2020

SR 2017/53: The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2017

SR 2018/39: The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2018

SR 2019/43: The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2019

SR 2019/213: The Social Security (Amendment) (EU Exit) Regulations (Northern Ireland) 2019

SR 2019/90: The Social Security (Income-related Benefits) (Updating and Amendment No. 2) (EU Exit) Regulations (Northern Ireland) 2019

Agreed: The Committee agreed to note the Examiner of Statutory Rules' report.

The following departmental official and Belfast City Council representatives joined the meeting at 12:37 p.m.

David Grimley, departmental official

Siobhan Toland, Director of City Services, Belfast City Council

Kevin Bloomfield, HMO Manager, Belfast City Council

Nora Largey, Divisional Solicitor, Belfast City Council

The officials briefed the Committee and answered members' questions on statutory rules relating to Houses of Multiple Occupation.

SR 2019/32: The Houses in Multiple Occupation (Code of Practice) Regulations (NI) 2019

The Committee considered SR 2019/32 The Houses in Multiple Occupation (Code of Practice) Regulations (NI) 2019, which would assist councils to operate a licensing scheme to enable better regulation of houses in multiple occupation. The Regulations will provide clarity on requirements of the licensing scheme to ensure that management control of HMOs will be strengthened leading to better standards and housing conditions.

Agreed: The Committee considered SR 2019/32 The Houses in Multiple Occupation (Code of Practice) Regulations (NI) 2019 and had no objection to the rule.

SR 2019/39: The Houses of Multiple Occupation (Commencement and Transitional Provisions) Order (NI) 2019

The Committee considered SR 2019/39 The Houses of Multiple Occupation (Commencement and Transitional Provisions) Order (NI) 2019, which would bring into operation the Houses in Multiple Occupation Act (NI) 2016 as far as it, is not already in operation.

Agreed: The Committee considered SR 2019/39 The Houses of Multiple Occupation (Commencement and Transitional Provisions) Order (NI) 2019 and had no objection to the rule.

SR 2019/34: The Houses of Multiple Occupation (Fees) Regulations (NI) 2019

The Committee considered SR 2019/34 The Houses of Multiple Occupation (Fees) Regulations (NI) 2019, which would set the maximum fee per person the council may charge for an HMO licence. They also set maximum fee for the supply of a certified copy of an entry relating to an HMO; and a certified copy of its register.

Agreed: The Committee considered SR 2019/34 The Houses of Multiple Occupation (Fees) Regulations (NI) 2019 and had no objection to the rule.

SR 2019/33: The Houses of Multiple Occupation (Hazards) Regulations (NI) 2019

The Committee considered SR 2019/33 The Houses of Multiple Occupation (Hazards) Regulations (NI) 2019, which prescribes potential hazards and provides landlords with standards required and expected of them so there can be no confusion in the application of the standards.

Agreed: The Committee considered SR 2019/33: The Houses of Multiple Occupation (Hazards) Regulations (NI) 2019 and had no objection to the rule.

SR 2019/31: The Houses of Multiple Occupation (Living Accommodation Standard) Regulations (NI) 2019

The Committee considered SR 2019/31 The Houses of Multiple Occupation (Living Accommodation Standard) Regulations (NI) 2019, which would provide clarity around the suitability of the living accommodation for multiple occupation which sets out the criteria that councils must consider which are the minimum standards expected.

Agreed: The Committee considered The Houses of Multiple Occupation (Living Accommodation Standard) Regulations (NI) 2019 and had no objection to the rule.

SR 2019/37: The Houses in Multiple Occupation (Space Standard) Regulations (Northern Ireland)

The Committee considered SR 2019/37 The Houses in Multiple Occupation (Space Standard) Regulations (Northern Ireland), which would specify the manner in which the floor area of a room is to be determined. This is to ensure that only spaces that are suitable to sleep and live in are included in any calculation of living space.

Agreed: The Committee considered SR 2019/37 The Houses in Multiple Occupation (Space Standard) Regulations (Northern Ireland) and had no objection to the rule.

SR 2019/38: The Houses of Multiple Occupation (Notice of Application) Regulations (NI) 2019

The Committee considered SR 2019/38 The Houses of Multiple Occupation (Notice of Application) Regulations (NI) 2019, which make provision about the procedural requirements relating to an application for a HMO licence, in particular the requirements for giving notice of the making of applications.

Agreed: The Committee considered SR 2019/38 The Houses of Multiple Occupation (Notice of Application) Regulations (NI) 2019 and had no objection to the rule.

SR 2019/36: The Houses of Multiple Occupation (Specified Educational Establishments) (Regulations) (NI) 2019

The Committee considered SR 2019/36 The Houses of Multiple Occupation (Specified Educational Establishments) (Regulations) (NI) 2019, which lists types of building that are not houses in multiple occupation but which are occupied solely or principally for the purpose of undertaking a full time course of further or higher education.

Agreed: The Committee considered SR 2019/36: The Houses of Multiple Occupation (Specified Educational Establishments) (Regulations) (NI) 2019 and had no objection to the rule.

The following departmental officials joined the meeting at 12:53 p.m.

Una McConnell, departmental official, Universal Credit
Anne McCleary, Director, Social Security Policy and Legislation

Sinead Ennis left the meeting at 12:53 p.m.

Kellie Armstrong left the meeting at 12:54 p.m.

The officials briefed the Committee and answered members' questions on SR 2018/2: The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018

SR 2018/2: The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018

The Committee considered SR 2018/2 The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018, which details how the Local Housing Allowance rate will be calculated depending on the category of dwelling and the broad rental market area in which the dwelling is situated.

Agreed: The Committee considered SR 2018/2: The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2018 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

Sinead Ennis re-joined the meeting at 12:56 p.m.

The following departmental officials joined the meeting at 12:58 p.m.

Anthony Carleton, Director of Local Government and Housing Regulation Division
Jeff Glass, Local Government Finance
Ian Lewis, Departmental official

The officials briefed the Committee and answered members' questions on SR 2019/174 The Local Government (Payments to Councillors) Regulations (Northern Ireland) 2019

SR 2019/174: The Local Government (Payments to Councillors) Regulations (Northern Ireland) 2019

The Committee SR 2019/174 The Local Government (Payments to Councillors) Regulations (Northern Ireland) 2019, which would revoke and remake with minor amendment the Local Government (Payments to Councillors) Regulations (NI) 2012 taking account of updates relating to councillor allowances; and other legislative changes resulting from local government reform.

Agreed: The Committee considered SR 2019/174: The Local Government (Payments to Councillors) Regulations (Northern Ireland) 2019 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

The following departmental officials joined the meeting at 13:02 a.m.

Julie Broadway, Departmental Official
Siobhan McKelvey, Departmental Official

The officials briefed the Committee and answered members' questions on SR 2019/206 The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019.

The following interests were declared:

Andy Allen MLA declared an interest as a member of LGPS (NI)
Robin Newton MLA declared an interest as a member of LGPS (NI)
Sinead Ennis MLA declared an interest as a member of LGPS (NI)
Jonathan Buckley MLA declared an interest as a member of LGPS (NI)
Paula Bradley MLA declared an interest as a member of LGPS (NI)
Mark Durkan MLA declared an interest as a member of LGPS (NI)

SR 2019/206: The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019

The Committee SR 2019/206: The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019, which would ensure compliance with the UK Supreme Court Judgement on eligibility criteria for cohabitee's survivor benefits in the LGPS and to make other minor amendments and drafting improvements to the legal framework governing the LGPS (NI).

Agreed: The Committee considered SR 2019/206 The Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2019 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

The following departmental official joined the meeting at 13:11 a.m.

Eilish O'Neill, Project Leader, Private Rented Sector Review

The official briefed the Committee and answered members' questions on SR 2019/84
The Registered Rents (Increase) Order (Northern Ireland) 2019

SR 2019/84: The Registered Rents (Increase) Order (Northern Ireland) 2019

The SR 2019/84: The Registered Rents (Increase) Order (Northern Ireland) 2019, which would allow for increases in rents of statutory and protected tenancies in those properties that meet the housing fitness standard. Rents entered on the register during 2 April 2007 and 12 May 2019 will be entitled to be increased by 1.8 percent.

The following interest was declared:

Andy Allen MLA declared an interest as a private landlord.

Agreed: The Committee SR 2019/84: The Registered Rents (Increase) Order (Northern Ireland) 2019 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

8. Forward Work Programme

The Chairperson advised members that they had been provided with a copy of the Committee's Forward Work Programme.

Agreed: Members agree to hold an away day on Thursday 5 March to formulate the Committee's priorities.

9. Any Other Business

The Chairperson advised members that their tablet devices were now available for collection in IS office.

10. Date, Time and Place of the next meeting

The next meeting will be on Thursday 20 February at 10.00 a.m. in Room 29, Parliament Buildings.

The meeting adjourned at 13.18 p.m.

Ms Paula Bradley MLA
Chairperson, Committee for Communities