



Northern Ireland  
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# Committee for Communities

## Minutes of Proceedings

Thursday 16 December 2021

**Meeting Location:** Room 29, Parliament Buildings, Belfast

**Present:** Ms Kellie Armstrong MLA (Deputy Chairperson)  
Mr Paul Frew MLA

**Present by Video or Teleconference:**

Mr Andy Allen MBE MLA  
Mr Mark Durkan MLA  
Mr Stephen Dunne MLA  
Ms Ciara Ferguson MLA  
Ms Áine Murphy MLA  
Ms Aisling Reilly MLA

**Apologies:** Ms Paula Bradley MLA

**In Attendance:** Dr Janice Thompson (Assembly Clerk)  
Mr Sean McCann (Assistant Clerk)  
Ms Rachel Ashe (Clerical Supervisor)



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**In Attendance by Video or Teleconference:** Ms Antoinette Bowen (Clerical Officer)

The Deputy Chairperson, Kellie Armstrong, assumed the Chair. The meeting began at 9.03 am in public session. The following Members were present at the start of the public session: Kellie Armstrong (Deputy Chairperson), Stephen Dunne, Ciara Ferguson, Paul Frew, Aisling Reilly.

Declaration of Interests

Paul Frew declared an interest as a private landlord.

Andy Allen declared an interest as a private landlord and as a charity trustee.

Stephen Dunne declared an interest as a private landlord.

### **1. Apologies**

Paula Bradley

### **2. Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on Thursday 9 December 2021.



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### 3. Chairperson's Business

The Deputy Chairperson informed Members that Les Allenby, Chair of the Independent Advisory Panel on welfare mitigations, had requested to brief the Committee in the New Year.

**Agreed:** The Committee agreed to invite the Independent Advisory Panel on welfare mitigations to brief the Committee in the New Year.

### 4. Matters Arising

The Deputy Chairperson informed Members that they had received a Departmental response in relation to a ban on domestic boilers in new build homes, stating that any queries related to the potential budget impact of the ban would be better directed to the Department of Finance.

**Agreed:** The Committee agreed to forward a copy of the Departmental response to the Committee for Finance for its consideration.

*Áine Murphy joined the meeting at 9.07 am.*

The Deputy Chairperson informed Members that they had received a Departmental response in relation to the Changing Places Toilet Fund and the Department's continued efforts to ensure optimum access to toilet facilities for the public. The Committee was content to note.

The Deputy Chairperson informed Members that they had received a response in relation to the Disability Strategy Cross-Departmental Working Group, calling for the inclusion of BS8300 design standards in procurement policies.

**Agreed:** The Committee agreed to forward a copy of the response to the Committee for Finance to ask that it considers it and advises the Committee for Communities if it has done any work on the issue.

The Deputy Chairperson informed Members that they had received a Departmental response in relation to the Supporting People Feasibility Study. The Committee was content to note.



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The Deputy Chairperson informed Members that they had received a Departmental response in relation to Women Involved in Community Transformation (WICT) Programme Funding and the Department's commitment to providing funding updates. The Committee was content to note.

The Deputy Chairperson informed Members that they had received a Ministerial response on the Social Security Terminal Illness Bill detailing the establishment of a steering group. The Committee was content to note.

### **5. Support for Mortgage Interest etc., (Security for Loans) Bill**

The Deputy Chairperson informed Members that they had been provided with a research paper by the Assembly's Research and Information Service (RaISe) on the Support for Mortgage Interest etc., (Security for Loans) Bill.

**Agreed:** The Committee agreed to invite Eleanor Murphy from RaISe to brief the Committee on the Support for Mortgage Interest etc., (Security for Loans) Bill at a future meeting in January 2022.

The Deputy Chairperson informed Members that they had received a Departmental response on the Support for Mortgage Interest etc., (Security for Loans) Bill. The response addressed the Committee's query that no consultation had been conducted in relation to the Bill. The Committee was content to note.

### **6. Committee Deliberations on the Private Tenancies Bill**

The Deputy Chairperson informed Members that Committee Deliberations on the Private Tenancies Bill would now continue.

The Deputy Chairperson reminded Members that this was not yet the formal Clause by Clause stage, but still an opportunity for Members to continue to discuss Clauses comprehensively with Departmental Officials.

The Deputy Chairperson reiterated that the Committee was still reviewing responses with the Department on a number of outstanding issues to decide on whether any



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further amendments are to be considered or whether a Committee recommendation or Ministerial assurance would suffice.

The Deputy Chairperson informed Members that they had been provided with a response from the Department of Finance on the use of fire and smoke alarms in communal areas of apartments. The Committee was content to note.

The Deputy Chairperson informed Members that they had received correspondence from Will Chambré highlighting a report on a recent virtual roundtable discussion, hosted by FMB and VELUX, on raising energy efficiency standards in new homes in NI. The Committee was content to note.

The Deputy Chairperson informed Members that they had received a submission from Belfast Asian Women relating to the Private Tenancies Bill.

**Agreed:** The Committee agreed to include a copy of the submission in its Private Tenancies Bill final report.

The Deputy Chairperson welcomed the following Departmental Officials to the meeting:

David Polley

Eilish O'Neill

Karen Barr

The Officials briefed the Committee on its responses to Committee queries on Clauses 3, 7, 8, 9, 10, and 11 as well as any outstanding clarifications requested by the Committee. The Officials also participated in a question and answer session with Members.

*Mark Durkan joined the meeting at 9.18 am.*

**Clause 3 – Tenant to be provided with a rent receipt for payment in cash**

**Receipts for all cash payments in relation to the tenancy.**

The Officials advised the Committee that the Minister will take an amendment to the clause (or insertion of sub clause) for a receipt to be provided for all cash payments arising under the tenancy.



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The Committee was pleased to note that the Department is making this amendment.

The Committee agreed to await the text of the amendment and asked that it was forwarded in time for consideration at its meeting on 21st December.

### **5(3)(b) – “if that is not possible, as soon as reasonably possible after that time”**

The Committee discussed the reasons why the Department did not wish to consider taking forward an amendment to remove 5(3)(b).

The Committee agreed to consider this issue in further details at its meeting on 21st December.

### **Proposed New Clause 2A**

The Committee discussed the reasons why the Department does not wish to consider taking forward the amendment proposed by the Committee regarding placing a statutory duty on a landlord to offer a choice of payment options for rent and other payments related to the tenancy.

In its closed session the Committee considered the draft text of two potential amendments on this matter as drafted by the Assembly Bill Office.

The Committee agreed to share the text of the draft amendments with the Officials and the Office of Legislative Counsel and for the Bill Clerk to liaise with them in advance of the meeting on 21st December, in order to get a steer on any unintended consequences of the proposal.

The Deputy Chairperson informed Members that the Committee was also awaiting its own legal advice on the proposal.



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**Clause 7 – Restriction on rent increases**

***Time period in 5D(4) be increased to three months***

The Committee was pleased to note that the Department is making this amendment.

The Committee agreed to consider the text of the amendment at the meeting on 21st December.

**Clause 8 – Fire, Smoke and Carbon Monoxide Alarms, etc.**

The Officials updated the Committee on the response from the Department of Finance on the changes to Part E of the Building Regulations. The Committee noted that the Officials stated that the text of Clause 8 future proofs the Bill in this regard.

**Clause 9 and Schedule 2 – Energy Efficiency Regulations**

The Officials outlined the key points of the amended Schedule 2.

The Committee did not take a position on this at this meeting and requested a written breakdown of each amendment and what it does as soon as possible.

**Clause 11 – Validity requirements for notices to quit given by landlords and tenants.**

The Officials outlined the Department's response that it wished to reserve its position on any amended notice to quit period until the outcome of its recently launched consultation, which closes on 25 January 2022.

The Department discussed with the Committee its own proposed potential amendment, similar to the Private Tenancies (Coronavirus Modifications) Act 2021, regarding

- Applicability for all tenancies irrespective of length (or using tenancy length similar to that currently in the draft bill);



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- The same period for both Landlords and Tenants (or notices given by Landlords only); and
- A universal 12-week period (i.e. no exempt cases or different notices for particular types of cases).

The Committee did not take a position on Clause 11 as it is awaiting the views of Assembly Legal Services as to whether amendments of the type proposed by the Committee would engage Article 1 of Protocol 1 of the European Court of Human Rights and the potential consequences of this.

The Officials also highlighted that it was difficult to provide a definitive response to the Committee's request for a timeline in advance of the outcome of the Notice to Quit consultation and the reasons for that.

The Committee noted the response and that the Department had referred to the Committee Stage ending on 28th January 2022. The Deputy Chairperson highlighted that the Committee Stage completes on 14th January 2022.

*The meeting was adjourned at 10.13 am.*

*The meeting recommenced in closed session at 10.25 am during which time the Committee received advice from Claire McCanny, Bill Office Clerk.*

*Áine Murphy left the meeting at 10.48 am.*

*Andy Allen left the meeting at 10.58 am.*

*The meeting went into public session at 11.25 am.*

The Deputy Chairperson welcomed Officials back to the meeting and thanked them for agreeing to re-join.

There was a further discussion on the clauses of the Bill and the Officials agreed to try to get a response to Committee queries for further consideration at the meeting on 21 December 2021.

The Deputy Chairperson thanked the Officials for their attendance.





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**7. All Party Group briefing on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill**

*Andy Allen joined the meeting at 12.04 pm.*

The Deputy Chairperson welcomed the following representative from the All Party Group to the meeting:

Jack Gibson

The representative briefed the Committee on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill and participated in a question and answer session with Members.

The Deputy Chairperson thanked the representative for his attendance.

**8. Gambling With Lives briefing on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill**

The Deputy Chairperson welcomed the following representatives from Gambling With Lives to the meeting:

Peter Keogh

Charles Ritchie

Barry Fennell

The representatives briefed the Committee on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill and participated in a question and answer session with Members.

The Deputy Chairperson thanked the representatives for their attendance.

**Agreed:** The Committee requested that Gambling With Lives forward information on its pilot education programme for schools and a copy of its safeguarding policy to the Committee for consideration.



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The Committee also agreed to write to the independent Safeguarding Board NI regarding the age of gambling.

### **9. Departmental briefing on the Covid Fund for Charities and Social Enterprises**

*Stephen Dunne left the meeting at 12.56 pm.*

The Deputy Chairperson noted that, having only received the Department's briefing paper the previous afternoon, the Committee had not had sufficient time to adequately consider its content.

The Deputy Chairperson welcomed the following Departmental Officials to the meeting:

Ben Conway

Iain Greenaway

The Officials briefed the Committee on the Covid Fund for Charities and Social Enterprises and participated in a question and answer session with Members.

The Deputy Chairperson thanked the Officials for their attendance.

### **10. Departmental briefing on Budget 2022-25**

The Deputy Chairperson informed Members that, due to time constraints of the meeting, the Departmental briefing on Budget 2022-25 would now not take place and would be rescheduled instead for the meeting on 13 January 2022.



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**11. SL1 – The Housing Related Functions of the Department of Finance (Exercise by Housing Executive) Regulations (NI) 2021**

**Agreed:** The Committee was content for the Department to proceed to make the rule.

**12. SL1 – Draft Welfare Supplementary Payment (Extension) Regulations (NI) 2021**

**Agreed:** The Committee was content for the Department to proceed to make the rule.

Andy Allen wished to note his dissatisfaction with the 3-year period included in the Regulations.

**13. SL1 – The Statutory Sick Pay (Medical Evidence) (Amendment) Regulations (NI) 2021**

The Committee noted the need for the urgency but expressed its dissatisfaction with the short notice given to Committee for consideration of the regulations, owing to the Department only sending the SL1 to the Committee during the meeting.

**Agreed:** The Committee was content for the Department to proceed to make the rule.

**Agreed:** The Committee agreed to write to the Department requesting a timeframe detailing when the Department first knew about the regulations. The Committee also agreed to state that the Department could have notified the Committee earlier about the planned Subordinate Legislation.



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### 14. Correspondence

The Committee noted a letter from the Committee for Education regarding its call for evidence on the Period Products (Free Provision) Bill.

**Agreed:** The Committee agreed to write to the Department for Communities and SOLACE respectively, to actively encourage them to participate in the Period Products Bill consultation.

The Committee noted a Departmental update on the Housing Supply Consultation.

**Agreed:** The Committee agreed to write to the Department requesting an oral briefing on the outcome of the consultation and the Department's proposed way forward.

The Committee was content to note the following items of correspondence:

- i. A Departmental letter regarding the Northern Ireland Housing Executive's (NIHE) Revitalisation Programme;
- ii. A copy of the UK Anti-Doping Annual Report and Accounts 2020-21 from UK Anti-Doping Ltd;
- iii. A letter from the Speaker, Mr Alex Maskey, regarding Fairness for Caravan Owners Public Petition;
- iv. Correspondence from Sported regarding results of their latest Members' Pulse Survey;
- v. Correspondence from the Committee for Finance regarding City Deals Governance and Spending;
- vi. And a copy of the report from Culture, Communications, Welsh Language, Sport and International Relations Committee on 'Small Screen, Big Debate'.

### 15. Forward Work Programme

The Deputy Chairperson informed Members of the need to schedule a Committee meeting on 21 December 2021 to continue deliberations on the Private Tenancies Bill.



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**Agreed:** The Committee agreed to hold a meeting on Tuesday 21 December 2021 at 9.00 am in room 30.

The Deputy Chairperson informed Members that the first meeting of the New Year will be on Tuesday 11 January 2022 in Room 29. The Deputy Chairperson informed Members that the start time of this meeting would be communicated at a later date.

### **16. Any Other Business**

A Member raised the issue of £55m funding available for an Energy Payment Support Scheme which the Minister is currently developing, but that the Committee had not received any information detailing the format of the scheme.

**Agreed:** The Committee agreed to write to the Department requesting details of the scheme and a timescale for the commencement of payments.

A Member raised the issue of a Ministerial statement on the Real Living Wage.

**Agreed:** The Committee agreed to write to the Department requesting further details on the Real Living Wage, including the beneficiaries of this announcement and a timescale for when it will take effect.

**Agreed:** The Committee agreed to write to The Executive Office enquiring when the Real Living Wage will be rolled out across all departments.

### **17. Date, time and location of next meeting**

The next meeting will be held on Thursday 21 December 2021 in Room 30, Parliament Buildings, at 9.00 am.

*The meeting was adjourned at 1.19pm.*



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**Kellie Armstrong MLA**  
**Deputy Chairperson, Committee for Communities**