



# Northern Ireland Assembly

## COMMITTEE FOR SOCIAL DEVELOPMENT

### MINUTES OF PROCEEDINGS

**THURSDAY 5 June 2014**

**Room 29, Parliament Buildings**

- Present: Mr Alex Maskey MLA (Chairperson)  
Mr Mickey Brady MLA (Deputy Chairperson)  
Mr Jim Allister MLA  
Mr Gregory Campbell MLA  
Mr Trevor Clarke MLA  
Mr Michael Copeland MLA  
Mr Stewart Dickson MLA  
Mr Fra McCann MLA  
Mr Sammy Wilson MLA
- In Attendance: Dr Kevin Pelan (Assembly Clerk)  
Ms Claire McCanny (Assistant Assembly Clerk)  
Mr Stephen Todd (Assistant Assembly Clerk)  
Mr Stewart Kennedy (Clerical Supervisor)
- Apologies: Ms Paula Bradley MLA

The Chairperson declared the meeting open to the public at 10.05am.

#### **1. Apologies**

Apologies were as noted above.

#### **2. Draft Minutes**

*Agreed:* The draft minutes of the meeting held on 29 May were agreed.

*Michael Copeland MLA joined the meeting at 10.06am.*

### **3. Chairperson's Business**

The Chairperson noted that the Committee would carry out its regular business, break for lunch and then reconvene in the afternoon to take evidence on the Inquiry.

### **4. Matters Arising**

- 4.1 The Chairperson noted a letter from the Department regarding the current status of negotiations between maintenance contractors and the NIHE. Members noted that they had been led to believe that negotiations had concluded in agreement and approval was now being sought from DSD and DFP.

*Agreed:* The Committee agreed to seek a briefing from officials in order to clarify this issue.

- 4.2 The Chairperson reminded members that the Committee for Employment and Learning has sought the Committee's input to the Work and Families Bill.

*Agreed:* If no members seek to make comment on the Bill prior to 19 June, a nil response will be issued to the Committee for Employment and Learning.

- 4.3 The Chairperson reminded members that an additional meeting is scheduled for Tuesday 10 June to review evidence relating to Phase 1 of the Committee's Inquiry and to agree the timescale for completion of the Inquiry.

*Agreed:* The Committee agreed that it was content to schedule additional extra briefings, if required, following the meeting on 10 June.

- 4.4 *Agreed:* The Committee agreed to forward to the Department any information it has in relation to the Equality Commission's investigation into "potential failures by the DSD to comply with its approved Equality Scheme in connection with the Housing Strategy 2012-17".

- 4.5 The Chairperson reminded members that they are invited to attend an ETI workshop in the Long Gallery on Energy Efficiency on the morning of 10 June.

### **5. Regeneration and Housing Bill pre-introduction – Departmental Briefing**

The following officials joined the meeting at 10.21am:

- Mr Henry McArdle, Head of RLG Policy and Legislation
- Mr Stephen Martin, Deputy Director of Housing Policy Division, DSD
- Ms Alison Chambers, RLG Programme Manager, DSD

*Trevor Clarke MLA joined the meeting at 10.22am.*

The Chairperson noted that the Minister for Social Development intends to introduce the Bill to the Assembly before Summer Recess and that the Bill will be considered by the Executive this afternoon.

Members questioned officials on a range of issues regarding the proposed devolved powers, the impact on the department in terms of staffing, the engagement process, and expressed some concerns around the lack of a definition of the term ‘social need’ within the Bill.

The Chairperson reminded members that this was a pre-legislative briefing and that their concerns could be explored in more detail during Committee Stage of the Bill.

*Agreed:* The Department agreed to provide the Committee with a report on the effectiveness of engagement with councils to date; and examples of regeneration schemes that included social housing.

*Agreed:* The Department agreed to provide the Committee with information on potential DSD staff reductions as a result of powers being devolved to local councils.

*Agreed:* The Department agreed to seek confirmation on whether a definition of ‘social need’ should be included in the legislation.

*Agreed:* The Department agreed to provide the Committee with examples of regeneration schemes involving social housing being delivered by councils in conjunction with Housing Associations.

*Gregory Campbell MLA left the meeting at 10.53am.*

The officials left the meeting at 11.10am.

*This session was recorded by Hansard.*

## **6. Housing (Amendment) Bill consultation responses – Departmental Briefing**

The following officials joined the meeting at 11.11am:

- Ms Deirdre Ward, Deputy Director of Housing, DSD
- Dr Heloise Brown, Head of Housing Policy, Research & Legislation, DSD
- Mr Stephen Baird, Policy & Legislation Manager, DSD

*Trevor Clarke MLA declared an interest in this briefing as a private landlord.*

The Chairperson referred members to a letter from the Minister which acknowledged members’ previously expressed concerns on this issue and noted his desire to proactively address anti-social behaviour among social housing tenants.

The Chairperson thanked the officials for extending the consultation period, as requested at the previous briefing on this matter.

The officials briefed the Committee on the consultation responses for the Housing (Amendment) Bill.

Members questioned the effectiveness of short secure tenancies to address anti-social behaviour and were of the view that the process to evict a tenant would be protracted.

Members acknowledged that there needed to be a balance between the rights of tenants to be free from the impact of anti-social behaviour and the rights of those engaged in such behaviour to be supported in order that they are not evicted and potentially made homeless.

*Agreed:* The Department agreed to provide information on how the legislation would assist in removing barriers in providing information on empty homes to Land and Property Services.

*Agreed:* The Department agreed to provide information on whether there was any obligation for a new tenant to be informed if a previous tenant left the property due to problems with anti-social behaviour in adjacent properties.

The officials left the meeting at 12.02pm.

*This session was recorded by Hansard.*

*Michael Copeland MLA left the meeting at 12.02pm.*

## **7. Update on the Building Successful Communities Programme – Departmental Briefing**

The following officials joined the meeting at 12.03pm.

- Mr Stephen Martin, Deputy Director, Housing Policy, DSD
- Ms Beverley Bigger, Head of Housing Investment, DSD
- Mr Laurence Donaghy, DSD

The officials briefed the Committee on the Department's 'Building Successful Communities' Programme, noting that this was the start of a three year programme and that they would be keen to return regularly to update the Committee on progress. They noted that a seminar would be held in September with forums from the areas that are currently being targeted for housing-led regeneration.

The Chairperson noted the delay in the implementation of the scheme, given the Minister made the announcement in October 2013. Officials noted that there had been a significant delay in implementing neighbourhood renewal and that they sought to learn lessons from this and aim to expedite the Building Successful Communities Programme.

Members addressed some other concerns but acknowledged that the programme is in its early stages.

*Trevor Clarke MLA left the meeting at 12.10pm.*

*Agreed:* The officials agreed to return to brief the Committee immediately following the seminar in September.

The officials left the meeting at 12.16pm.

#### **8. Draft SR The Business Improvement Districts (Miscellaneous) Regulations (Northern Ireland) 2014**

The Committee had no objections to the Rule.

The Chairperson read the following motion into the record:

*That the Committee for Social Development has considered the Draft Statutory Rule The Business Improvement Districts (General) Regulations (Northern Ireland) 2014 and, subject to the Examiner of Statutory Rules' report, recommends that it be affirmed by the Assembly.*

#### **9. SR 143/2014 The Business Improvement Districts (General) Regulations (Northern Ireland) 2014**

The Committee had no objections to the Rule.

The Chairperson read the following motion into the record:

*That the Committee for Social Development has considered the Statutory Rule SR 143/2014 The Business Improvement Districts (General) Regulations (Northern Ireland) 2014 and, subject to the Examiner of Statutory Rules' report, has no objections to the Rules.*

#### **10. SR 140/2014 The Social Security (Maternity Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland)**

The following officials joined the meeting at 12.19pm:

- Ms Anne McCleary, Director, Social Security Policy & Legislation, DSD
- Ms Rosemary Hughes, DSD
- Mr Michael Pollock, Social Security Policy & Legislation, DSD

The Chairperson noted that the Committee had queried these regulations, specifically with regards to the definition of terms that determined whether a person was eligible for Maternity Allowance (MA).

The Departmental officials confirmed that the term ‘take due care of her health’ although not defined in legislation has been included in legislation since 1948. They noted that they had been unable to find an example of this being used as a reason to disqualify a person from receiving MA in the last 27 years.

Members of the Committee expressed concern that the lack of definition within the legislation left ambiguity in the phrasing that could potentially allow arbitrary judgements to be made with regards to whether MA is granted and that this represented a larger issue that needed addressed.

Some members questioned why it was necessary to have these provisions at all given that they had not been used once in 27 years.

Officials advised that the effect of annulling these regulations was that it would create a situation where one group of women was subject to existing disqualification provisions and another group would not.

Following discussions the the Chairperson proposed the following motion to the Committee:  
*That the Committee for Social Development has considered the Statutory Rule SR 140/2014 The Social Security (Maternity Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland) and recommends that it be annulled by the Assembly.*

The Committee divided on the motion:

Ayes 3;

Noes 3;

Abstentions 0.

AYES:

Mr Alex Maskey MLA (Chair)

Mr Mickey Brady MLA (Deputy Chair)

Mr Fra McCann MLA

NOES:

Mr Jim Allister MLA

Mr Stewart Dickson MLA

Mr Sammy Wilson MLA

The motion fell.

Chairperson proposed the following motion to the Committee:

*That the Committee for Social Development has considered the Statutory Rule SR 140/2014 The Social Security (Maternity Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland) and, subject to the Examiner of Statutory Rules' report, has no objections to the Rule.*

The Committee divided on the motion:

Ayes 3;  
Noes 3;  
Abstentions 0.

AYES:

Mr Jim Allister MLA  
Mr Stewart Dickson MLA  
Mr Sammy Wilson MLA

NOES:

Mr Alex Maskey MLA (Chair)  
Mr Mickey Brady MLA (Deputy Chair)  
Mr Fra McCann MLA

The motion fell.

The Chairperson noted that the Regulations came into operation on 18 May 2014 and that the end of the Statutory Period has been calculated as 24 June 2014.

The officials left the meeting at 12.46pm.

**11. SL1 The Child Support (Ending Liability in Existing Cases and Transition to New Calculation Rules) Regulations (NI) 2014**

*Agreed:* The Committee was content for the Rule to be made.

**12. SL1 The Child Support (Consequential and Miscellaneous Amendments) Regulations (NI) 2014**

*Agreed:* The Committee was content for the Rule to be made.

**13. SL1 The Child Support Fees Regulations (Northern Ireland) 2014**

*Agreed:* The Committee was content for the Rule to be made.

**14. SR 150/2014 The Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014**

Members expressed concerns that the Regulations could result in further sanctions being applied to claimants of Jobseekers Allowance. The Chairperson noted that, at SL1 stage, the Committee had voted that these Regulations should not be made.

The Chairperson proposed the following motion to the Committee:

*That the Committee for Social Development has considered the Statutory Rule SR 150/2014 The Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (NI) 2014 and recommends that it be annulled by the Assembly.*

The Committee divided on the motion:

Ayes 4;  
Noes 3;  
Abstentions 0.

AYES:

Mr Alex Maskey MLA (Chair)  
Mr Mickey Brady MLA (Deputy Chair)  
Mr Michael Copeland MLA  
Mr Fra McCann MLA

NOES:

Mr Jim Allister MLA  
Mr Stewart Dickson MLA  
Mr Sammy Wilson MLA

The motion was carried.

### **15. Correspondence**

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

### **16. Forward Work Programme**

*Agreed:* The Committee was content with the Forward Work Programme as drafted.

**Proceedings were suspended at 12.51pm.**



**Proceedings recommenced in public session at 1.34pm, in Room 21 Parliament Buildings.**

The Chairperson declared the meeting open to the public. The following members were present:

Mr Alex Maskey MLA (Chairperson)  
Mr Mickey Brady MLA (Deputy Chairperson)  
Mr Jim Allister MLA  
Mr Michael Copeland MLA  
Mr Stewart Dickson MLA  
Mr Fra McCann MLA  
Mr Sammy Wilson MLA

**17. Committee Inquiry into allegations, arising from a BBC NI ‘Spotlight’ programme aired on 3 July 2013, of impropriety or irregularity relating to NIHE-managed contracts and consideration of any resulting actions – Evidence Session with NIHE Officials.**

The following officials joined the meeting at 1.35pm:

- Mr Donald Hoodless, Chair of the Northern Ireland Housing Executive
- Professor Peter Roberts, Chair of the Northern Ireland Housing Executive Audit Committee

*Michael Copeland MLA left the meeting at 2.15pm.*

The officials gave evidence in respect of Phase 2 of the Committee’s Inquiry and took questions from members.

*Agreed:* The Committee agreed to seek the cost of the NIHE’s Direct Labour Organisation as a result of contractors going into administration and the TUPE arrangements being implemented.

The officials left the meeting at 2.34pm.

*This session was recorded by Hansard.*

**18. Any Other Business**

There was no other business.

The next meeting of the Committee for Social Development will take place on 10 June 2014 at 12.00noon in Room 21, Parliament Buildings.

The Chairperson adjourned the meeting at 2.35pm.

**Alex Maskey**  
**Chairperson, Committee for Social Development**

**19 June 2014**