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Committee Clerk
Committee for Enterprise, Trade & Investment

VERSION: 22/05/2017 11:09

To: Alban Maginness
Chairperson

cc Daithí McKay

Date: 27 October 2011

CHAIR'S BRIEF FOR THE MEETING OF THE COMMITTEE FOR ENTERPRISE, TRADE AND INVESTMENT IN ROOM 30, PARLIAMENT BUILDINGS ON 27 OCTOBER AT 10.00AM.

Agenda Item 1 – Apologies

1. **Welcome** and remind members and the public that the meeting will be held in **public session** and that all mobile phones and electronic devices should be switched off as, even in silent mode, phones interfere with the recording system.
2. **Inform** members that apologies have been received from Paul Frew, Mike Nesbitt and Sue Ramsey. **Ask** members if they have any further apologies.

Agenda Item 2 – Minutes of meeting held on 20 October 2011

3. **Inform** members that copies of these minutes have been included in their papers at **Tab 1**. **Ask** members if they are content with the draft minutes.

Agenda Item 3 – Chairperson's Business

4. **Inform** members that papers in this item are at **Tab 2**.
5. **Inform** members that in papers is a letter to the Chair from the CEO of Sainsbury's regarding the Large Retailer Levy. **Note to Chair: You may wish to update members on your meeting with the CEO of Sainsbury's.** **Ask** members if they have any comments.

Agenda Item 4 - Matters arising from 20 October 2011 meeting

6. **Inform** members that in papers in this item are at **Tab 2**.
7. **Remind** members that at last week's meeting, members were invited to attend an afternoon event on Sunday 6 November at Parliament Buildings for the sponsors of the MTV Awards. **Advise** members that the event has been cancelled.

8. **Remind** members that the Committee is hosting an event for representatives of the SME sector on 17 November. **Ask** members if they are content to invite members from the Committees for Employment and Learning and Finance and Personnel.
9. **Remind** members that the Committee will be going to the Oireachtas on 10 November. **Advise** members that the annual energy conference will be on 10 November at the Stormont Hotel. **Tabled today** is the invitation. **Ask** members if they are content that the Assistant Clerk attend the Conference and report back to the Committee with key issues.

(10.15am) Agenda Item 5 – Research and Development: Assembly Research

10. **Advise** members that papers on this item are at **Tab 4** and include briefing papers from Assembly Research on EU Innovation Policy, R&D and Framework programme 7. The Clerk has provided a briefing paper with background and content.
11. **Advise** members that briefing the Committee today is Aidan Stennett, Assembly Research Officer.
12. **AFTER THE BRIEFING: Advise** members that the draft terms of reference are also included in papers.
13. **Ask** members if they are content for the Rapporteur to consider the appropriate Assembly committees and universities in GB and the RoI to invite to give written evidence to the Inquiry.
14. **Ask** members if they are content to write to Invest NI and InterTradeIreland to ask them to provide information on appropriate businesses (those that have successfully availed of opportunities for R&D and innovation) to invite to give evidence to the Inquiry.
15. **Tabled today** is the Deputy Chair's suggested amendment's to the inquiry. **Ask** members if they have any comments. **Ask** members if they are content to include the amendments in the draft proposal. **Ask** members if they are content with the Inquiry Proposal.
16. **Advise** members that the Committee Office will issue a call for evidence for the inquiry that will last 6 weeks. Exact timings are indicated in paragraph 12 of the draft terms of reference.
17. **Ask** members if they are content to forward the research papers to the Department for information.
18. **Advise** members that **tabled today** is a report from Assembly Research on the Role of a Rapporteur for Committee Inquiries. **Ask** members if they have any comments. **Ask** members if they are content to note.

(10.45am) Agenda Item 6 – Subordinate Legislation on Insolvency: DETI

19. **Advise** members that papers on this item are at **Tab 5** and include the proposals for the legislation (considered at the meeting of 6 October) and a table from DETI showing a fee comparison between NI and England and Wales. There is a briefing paper with background and content.
20. **Remind** members that they agreed to receive further clarification from the Department on the proposals for legislation, specifically in relation to the increase in fees. **Remind** members that it was also agreed to write to the Citizen's Advice Bureau (CAB) for its views on the proposed fees.
21. **Tabled today** is Citizen's Advice Bureau's response to the consultation on the fees and a briefing note from the Clerk.
22. **Advise** members that briefing the Committee today is Reg Nesbitt, Senior Principal and Alison Aiken, Deputy Principal.
23. **AFTER THE BRIEFING: Advise** members that the following SL1s are to be scrutinised by the Committee:
- Insolvency (Fees) (Amendment No.2) Order (Northern Ireland) 2011–
affirmative resolution
 - Insolvency (Deposits) (Amendment) Order (Northern Ireland) 2011–
negative resolution
 - Insolvency Practitioners and Insolvency Account (Fees) (Amendment) Order (Northern Ireland) 2011– **negative resolution**
24. **Advise members** that this is the Committee's opportunity to consider the policy set out in the SL1s, as it is not possible to amend this once the rule has been made and laid in the Assembly Business Office. **Ask** members if they are content.

(11.15am) Agenda Item 7 – Study into Off-Grid Markets: Office of Fair Trading (OFT)

25. **Advise** members that papers on this item are at **Tab 6** and include sections of the study by the Office of Fair Trading on Off-Grid Energy (the scope of the study, executive summary and conclusions and recommendations) and a press release. Also included is a press release from the Consumer Council on home heating oil.
26. **Advise** members that briefing the Committee today is James MacBeth, Project Director, OFT Off-grid energy supply study and Kyla Brand, OFT Representative for Scotland, Wales and Northern Ireland.

27. **AFTER THE BRIEFING: Ask** Members if they wish to ask the Consumer Affairs branch in DETI to provide the Committee with details of the number of complaints they have received in relation to oil suppliers. Ask members if they are content to also ask information on how Consumer Affairs handles the complaints and the number of cases that Consumer Affairs had to intervene and enforce consumer protection regulations.
28. **Advise** members that the Department will be providing an oral briefing at the meeting of 24 November on a number of energy issues including the renewable heat incentive and progress on the implementation of the Committee's inquiry into renewable energy. Members are also scheduled to consider a written summary of responses to the Department's consultation on extending the gas network at the meeting of 24 November. **Ask** members if they are content to ask officials to address progress on the extension of the gas network at the meeting of 24 November.
29. **Advise** members that the Committee Office has received a copy of the response from Phoenix Gas to a DETI consultation on extending the gas network. **Ask** members if they are content to ask Firmus Energy for a copy of its response so that members can consider both responses at a future meeting.
30. **Ask** members if they are content to ask the Department its comments and views on the study – especially in relation to the areas of consumer protection and NI's potential for more gas connections.
31. **Ask** members if they are content to forward the study to the Committee for Social Development for consideration.

Agenda Item 8 – Subordinate Legislation: SR 2011/365 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations (Northern Ireland) 2011

32. **Advise** members that papers on this item are at **Tab 7** and include the SR, explanatory memorandum and report from the Examiner of Statutory Rules. There is a cover note with the background and purpose of the Rule. The Rule is subject to **negative resolution**. **Remind** members that the Committee **discussed this Rule at SL1 stage** at its meeting on 16 June 2011 and had **no comment** on the Rule. The rule will come into operation on 10 November 2011.
33. The Rule will harmonise and remove possible conflicts on the requirements for the approval and certification of transportable pressure equipment (eg pressurised cylinders and tanks) arising from an earlier Directive. They will update the technical provisions, conformity requirements and responsibilities of economic operators, in order to enhance safety and ensure the free

movement of transportable pressure equipment within, to and from Northern Ireland.

34. The Examiner of Statutory Rules' report is not included in papers, as the Rule was laid too late to be included in his report yesterday. However, the Committee Office has been in contact with the Examiner and **tabled today** are his comments; he has indicated that he will have no points to raise by way of technical scrutiny.
35. ***Note to Chair: If members are content with the SR please put the following question:***
36. ***“That the Committee for Enterprise, Trade and Investment has considered SR 2011/365 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations (Northern Ireland) 2011 and, subject to the Examiner of Statutory Rules' report, has no objection to the rule.”***

Agenda Item 9 - Draft response to the BIS Consultation on removing NI's assisted area status: Written briefing

37. **Advise** members that papers on this item are at **Tab 8** and include a draft response to the Consultation. The Clerk has provided a briefing paper with a summary of the changes since last week's consideration.
38. **Ask** members if they have any suggestions for amendments to the response. **Ask** members if they are content with the draft response. If there are suggestions for amendments, **ask** members if they are content for the Chair and Deputy Chair to agree a final response.
39. **Ask** members if they are content to publish the Committee's response on the Committee pages of the Assembly website.

Agenda Item 10 - Draft response to the FSA Consultation on Regulation of Credit Unions in Northern Ireland: Written briefing

40. **Advise** members that papers on this item are at **Tab 9** and include a draft of the response to the Consultation. The Clerk has provided a briefing paper with background and summary of content. **Tabled today** is an updated draft response.
41. **Ask** members if they have any suggestions for amendments to the response. **Ask** members if they are content with the draft response. If there are suggestions for amendments, **Ask** members if they are content for the Chair and Deputy Chair to agree a final response.

42. **Ask** members if they are content to publish the Committee's response on the Committee pages of the Assembly website.

Agenda Item 11 - Consultation on proposed changes to NIRO in 2012: Written briefing

43. **Advise** members that papers on this item are at **Tab 10** and include a briefing paper from the Department. The Assistant Clerk has provided a briefing paper with background and summary of content.

44. **Advise** members that most of the proposals are in line with changes to the renewable obligations certificate (ROC) in the UK, but some are specific to Northern Ireland.

45. **Ask** members if they have any comments.

46. **Ask** members if they are content to ask the Department for details of the differences in the proposed banding in the NIROC versus the GBROC (as the Department has stated that the DETI consultation concentrates on those technology bands where Northern Ireland proposes to differ from the rest of the UK).

47. **Ask** members if they are content to ask the Department why small scale renewable generation could not be included in the overall Feed-in Tariff Contract for Difference and why a separate small scale Feed-in Tariff would have to be introduced and also to ask of the cost implications to consumers here as a result of Northern Ireland having its own small scale Feed-in Tariff.

48. **Ask** members if they are content to ask the Department to forward any progress on administering a Feed-in Tariff in Northern Ireland and whether the cost will be spread across the UK.

49. **Ask** members if they are content to request an oral briefing from officials once the consultation has closed and the responses have been collated and summarised.

50. **Ask** members if they are content to forward the papers to the Committee for Environment, as it has been indicated that members on that Committees have an interest in the NIRO.

Agenda Item 12 – Correspondence

51. **Advise** members that the following items of correspondence are at **Tab 11**:

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| <p>i. Letter from the Minister to the Chair regarding funding for the Paint</p> |
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Hall. **Remind** members that the Committee wrote to the Minister regarding the funding of £4.8m towards a new film studio beside the Paint Hall and to receive information on why the Accounting Officer was unable to support the project on the grounds of value for money and uncertainty as to viability. **Advise** members that the Finance Minister has attached several conditions to the funding of this project and that the Public Accounts Committee (PAC) and Comptroller and Auditor General (C&AG) are aware of the project. PAC has indicated that it will inform this Committee as it establishes details. **Ask** members if they have any comments.

- ii. Correspondence from the Minister to the Chair regarding the Better Regulation Annual Report 2010-2011 and the draft report. **Advise** members that the draft report is with the Executive for clearance. **Ask** members if they have any comments.
- iii. Correspondence from the Committee for Culture, Arts and Leisure requesting an oral briefing from the Northern Ireland Tourist Board (NITB). **Ask** if they are content to forward the request to NITB.
- iv. Correspondence from the Committee for Finance and Personnel regarding European Issues (INTERREG IVA and SEUPB). **Ask** members if they are content to note. **Advise** members that the JEREMIE initiative, referred to the correspondence, is an initiative of the EU Commission together with the European Investment Bank and the European Investment Fund to promote increased access to finance for the development of micro, small and medium-sized enterprises in the regions of the EU. **Ask** members if they are content to receive a written briefing from the Department on how JEREMIE has been taken forward in Northern Ireland.
- v. Briefing note from DETI on Future University Funding in Northern Ireland. **Ask** members if they are content to forward to the Committee for Employment and Learning for information.
- vi. Follow-up information from the Green New Deal regarding the Housing Amendment Act and energy efficiency of owner-occupied housing and social housing sectors. **Ask** members if they are content to note.
- vii. Response from DETI on the smooth processing of planning applications in time for Northern Ireland to fully take advantage of the Renewable Heat Incentive (RHI). **Ask** members if they are content to forward the correspondence to the Committee for Environment to ask for an update on permitted development for microgeneration.
- viii. Supplementary information from DETI regarding October Monitoring.

Ask members if they are content to note.

- ix. Response from DETI on the Outcome of the Consultation on Telecommunications Action Plan 2011-15. **Ask** members if they are content to note.
- x. Briefing note from Clerk and paper from DETI on Screening Exercises for policy/legislation. **Ask** members if they are content to note.
- xi. **Tabled today** is a letter from the Post 19 Lobby Group requesting a meeting with the Committee to discuss issues around Post 19 Transition. **Inform** members that most statutory committees have received similar correspondence. **Ask** members if they are content to write to the Post 19 Lobby Group to inform them that although the issues they raise fall outside the remit of this Committee, they should expect a response from other statutory committees which have an interest in this area.
- xii. **Tabled today** is correspondence from the Committee for Finance and Personnel on Departments' performances on payment of invoices within the 10 and 30 day targets.

Agenda Item 13 - Any Other Business

52. **Ask** members if they have any additional items of business.

Agenda Item 14 - Date, time and place of next meeting

53. **Advise** members that there is no meeting next week, as it is Halloween recess. There is no meeting on 10 November (the following week) due to the Committee's visit to the Oireachtas. The Committee Office will be providing information packs for members for the visit on 10 November.

54. The next meeting of the Committee will be on **17 November at 10.30am in Room 30, Parliament Buildings**. **Remind** members that the Committee will be hosting an event in the Long Gallery after the meeting on 17 November for organisations representing SMEs and the EU SME Envoy for the UK.