

**From: Jim McManus**  
**Committee Clerk**  
**Committee for Enterprise, Trade & Investment**

**VERSION: 22/05/2017 11:24**

**To: Alban Maginness**  
**Chairperson**

**cc Phil Flanagan**

**Date: 5 JULY 2012**

**CHAIR'S BRIEF FOR THE MEETING OF THE COMMITTEE FOR ENTERPRISE,  
TRADE AND INVESTMENT IN ROOM 30, PARLIAMENT BUILDINGS, 5 JULY  
2012 AT 10.00 AM.**

**Advise** members that a revised Agenda is **tabled** today to include oral briefings from the Ulster Bank and the Consumer Council. The scheduled briefings from NITB and the MATRIX panel will be included in the Forward Work Programme following recess.

### **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 apologies have been received from Alban Maginness.
3. **Ask** members if they are content for the Chair to write to Mr. McKay to thank him for his work with the Committee.
4. **Ask** members if they have any further apologies.

### **Agenda Item 2 – Minutes of meeting held on 28 June 2012**

5. **Inform** members that a revised copy of the minutes is in **Tab 1 Blue folder**. This due to the omission of the final agreed action at agenda item 6.

### **Agenda Item 3 – Chairperson's Business**

6. **Inform** members that papers on this item are included at **Tab 2**.

### Invitation to Members of the Committee for Finance & Personnel

7. **Inform** members that included in papers at **Tab 2 blue folder** is a request from the Committee for Finance & Personnel to attend today's evidence sessions from the Ulster Bank and the Consumer Council. **Ask** members if they are content for Finance & Personnel Committee members to attend and to question representatives.

### Presbyterian Mutual Society

8. **Inform** members that the Chair has met with Assembly Legal Services in relation to legal advice on the Department's refusal to provide the Committee with information requested regarding proceedings against the PMS. **Ask** members if they are content to seek further legal advice on the Committee's powers under Section 44 of the Northern Ireland Act.

### Delegation of Fol Responses during Recess

9. **Inform** members that it is normal practice each year for Committees to agree that authority be delegated to the Chair / Deputy Chair during periods of recess to submit views on the releasing or withholding of information in any non-routine/ contentious Fol requests received.
10. **Inform** members that the Committee would be advised of any such requests, the views expressed by the Chair and/or Deputy Chair and the response issued by the Fol Unit, at the first available meeting following the recess period.
11. **Ask** members if they are content to delegate the authority to respond to Freedom of Information issues to the Chair and Deputy Chair.

### Agenda Item 4 – Matters arising from 28 June 2012 meeting.

12. **Inform** members that papers on this item are included at **Tab 3**.

### The Manufacturing Sector in Scotland

13. **Remind** members that at last week's meeting it was agreed to defer this item to this week. Included in papers is a news article on the manufacturing sector in Scotland provided by Mr. Newton.

**Note to Chair: You may wish to invite Robin Newton to speak on this matter.**

14. **Ask** members if they are content to commission Assembly Research on the support given to the manufacturing sector in Northern Ireland compared to that in Scotland.

### **Smart Metering: Written Briefing from Assembly Research**

15. **Remind** members that this item was deferred from last week's meeting.
16. **Advise** members that Energy Division officials have advised that they are working on a final policy submission for the Minister and hope to have this cleared before summer recess. The Department will provide an update when this occurs.
17. **Ask** members if they have any comments. **Ask** members if they are content to note.

### **EU Consultation on sustainable growth and jobs**

18. **Inform** members that included in papers is a response from the Department on the European Union Consultation on sustainable growth and jobs.
19. **Ask** members if they are content to note.

### **Budget Scrutiny Discussion Paper**

20. **Remind** members that on 14 June the Committee noted correspondence from the Committee for Finance and Personnel on the NI Assembly's contribution to the Budget Process.
21. **Ask** members if they are content with the proposal to have a Memorandum of Understanding between the Assembly and the Executive on the budget process.

### **Hydraulic Fracturing**

22. **Inform** members that papers relating to the Committee's evidence on hydraulic fracturing have been added to the Committee pages of the Assembly website. **Advise** members that a Royal Academy of Engineering report on a review of hydraulic fracturing was emailed to members yesterday. **Ask** members if they are content to add this report to the website.

**Agenda Item 5 (10.15 am) – Ulster Bank Systems Failure – Impact on Business and Consumers: Oral Briefing from Ulster Bank**

**Note to Chair: You may wish to welcome members of the Finance and Personnel Committee to this meeting to participate in the oral evidence sessions from the Ulster Bank and the Consumer Council.**

23. **Inform** members papers on this item are at **Tab 2 blue folder**. Included in papers is a copy of the opening statement from the Ulster Bank representatives, a briefing paper from the Clerk and the Hansard extract from the 3<sup>rd</sup> July Plenary to the question for urgent oral answer on the Ulster Bank and two media articles.

24. **Inform** members that briefing the Committee today from the Ulster Bank are Jim Brown, Chief Executive of Ulster Bank Group, Chris Sullivan, CEO Corporate Banking Division at RBS (with responsibility for Ulster Bank at RBS Group level), Stephen Cruise, Head of Branches, Private & Financial Planning NI.

25. **Inform** members that Ulster Bank officials have agreed to attend today's meeting on the understanding that they have to leave by 11.15 to attend another engagement.

**Note to Chair: You may wish to advise members that you will manage the questioning of witnesses to give each member the opportunity to contribute within that time period.**

**Note to Chair: Before questioning witnesses, you may wish to commend the dedicated and hard-working Ulster Bank staff in local dealing with the many problems they face as a result of this crisis which is not of their making.**

26. **Welcome** representatives to the meeting and invite them to make an opening statement.

**Note to Chair: It is likely that Ulster Bank representatives will need time to consider many of the issues raised by the Committee in terms of how it will be ensured that no detriment will be suffered. Following the briefing, you may wish to invite representatives to return to the Committee after summer recess to update members on the measures that have been put in place.**

**Agenda Item 6 (11.00am) - : Ulster Bank Systems Failure – Impact on Business and Consumers Oral Briefing from Consumer Council**

27. **Inform** members papers on this item are at **Tab 3 blue folder**. Included in papers is a briefing paper from The Consumer Council.

28. **Inform** members that briefing the Committee today are Antoinette McKeown, Chief Executive and Joleen Cunningham, Interim Head of Money Affairs
29. **Welcome** representatives to the meeting and invite them to make an opening statement.
30. **Following the briefing ask** members if they are content to write to the Institute of Directors, the NI Independent Retail Trade Association and the Federation of Small Business to ask those organisations to provide a briefing to the Committee in September on how the problems in the Ulster Bank have impacted on their members in the longer term.
31. **Ask** members if they are content that this Committee work jointly on this issue in the future with the Committee for Finance and Personnel as the need arises.
32. **Inform** members that included in papers is a draft press release from the Committee. Ask members if they are content for the press release to issue.

#### **Agenda Item 7 SL1: The Renewable Heat Regulations (Northern Ireland) 2012**

33. **Inform** members that the papers for this item are at **Tab 6**. Included in papers is an update and further information from the Department. Also included is a briefing paper from the Clerk with background and summary.
34. **Remind** members that the Committee has considered this SL1 at previous meetings including an oral briefing from the Department on 24<sup>th</sup> May when the Committee agreed to defer the decision on the SL1 until the banding and tariffs were available before considering further.
35. **Advise** members that the rule is subject to draft Affirmative Resolution. **Remind** members that this is the Committee's opportunity to consider the policy set out in the SL1, as it is not possible for the Committee to amend this once the rule has been made and laid in the Assembly Business Office.

**Note to Chair: you had indicated that you may wish to obtain the views of Action Renewables on the policy proposals contained in the SL1 prior to the Committee making a determination.**

36. **Ask** members if they are content with the information provided by the Department or if members require further information or clarification, the Committee may wish to receive an oral briefing following summer recess.

### **Agenda Item 8 – Subordinate Legislation: SR 2012/255: The Health and Safety (Fees) Regulations (Northern Ireland) 2012**

37. **Inform** members at **Tab 4 blue folder** is the Statutory Rule and an explanatory memorandum. 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 21 June 2012 and had **no comment** on the Rule. The rule will come into operation on 30 July 2012.
38. **Inform** members that included in the papers is an e-mail from the Examiner of Statutory Rules’ who has indicated that he is unlikely to have any points to raise by way of technical scrutiny.
39. **Note to Chair: If members are content with the SR please put the following question:**

***“That the Committee for Enterprise, Trade and Investment has considered SR 2012/255 The Health and Safety (Fees) Regulations (Northern Ireland) 2012 and, subject to the report of the Examiner of Statutory Rules, has no objection to the rule.”***

### **Agenda Item 9 – Treatment of Curtailment in Tie-Break Situations: Written Briefing from Northern Ireland Renewable Industry Group**

40. **Inform** members that the papers for this item are at **Tab 7** and include an email from NI Renewable Industry Group (NIRIG) requesting a meeting with the Committee and responses to the Single Electricity Market Committee Consultation from NIRIG and The Irish Wind Energy Association’s (IWEA).
41. **Ask** members if they have any comments.

### **Agenda Item 10 – Consultation on Implementation of the EU Third Energy Package: Written Briefing**

42. **Inform** members that the papers for this item are at **Tab 8 and Tab 5 Blue Folder** which include a briefing paper from the Department and the draft consultation document. The Clerk has provided a briefing paper with background and summary of content.
43. The purpose of the consultation is to give interested parties the opportunity to comment on the proposals for the new energy licence modification arrangements.

44. **Ask** members if they are content to obtain a summary of consultation responses when the consultation closes.

### Agenda Item 11 – Correspondence

45. **Inform** members that the following items of correspondence are at **Tab 9 and Tab 6 blue folder for action.**

No.	Correspondence	Action/Note
i.	Letter from the Committee for Environment on Commissioned Research into the World Heritage Site Development in keeping with UNESCO status	To share the research with the Environment Cttee when available
ii.	Invitation from the Committee for Employment and Learning to an event on 17 September 2012	Ask members to contact the Cttee office if they wish to attend
<b>Ask</b> members if they are content to note the remaining items of Correspondence.		
iii.	Written Ministerial Statement on Forthcoming FP7 Call	Note
iv.	Response from Invest NI in relation to Invest NI Year End Results and 2011-2015 Corporate Plan	Note
v.	Response from DETI on: <ul style="list-style-type: none"> <li>i. the Go-For-It Programme Tender</li> <li>ii. Project Kelvin</li> </ul>	Note
vi.	Letter from Invest NI on Policy and Programme Screenings	Note
vii.	Response from the Department for Agriculture, Rural Development of the regulatory impact on the Rural Development Programme and Credit Unions ( <b>Tab 6 blue folder</b> )	Note

### Agenda Item 12 – Any other business

46. **Inform** members that the Committee Office will consider the Forward Work Programme during summer recess and issue a draft to the Committee for consideration at the first meeting in September. **Advise** members that they can submit suggestions for inclusion in the Forward Work Programme to the Committee Office during recess.

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

**Agenda Item 13 – Date, time and place of next meeting**

48. The next meeting of the Committee will be on **13 September 2012, Room 30, Parliament Buildings at 10.30am.**